

# **ALASKA PUBLIC OFFICES COMMISSION**

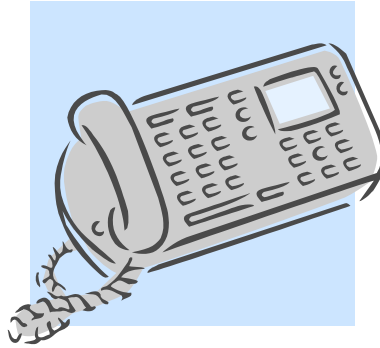
**TRAINING:  
Candidate Campaigns**



# Alaska Public Offices Commission Resources

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## Contact Information



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### APOC Anchorage (Campaign/Financial Disclosure)

Physical/Mailing Address:  
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### APOC Juneau (Lobbying)

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Mailing Address: PO Box 110222  
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## Useful Links

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Name	Website
APOC Website:	<a href="http://doa.alaska.gov/apoc/home.html">http://doa.alaska.gov/apoc/home.html</a>
MyAlaska	<a href="https://my.alaska.gov">https://my.alaska.gov</a>
Searching Reports	<a href="http://aws.state.ak.us/ApocReports/Home.aspx">http://aws.state.ak.us/ApocReports/Home.aspx</a>

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**Helpful Resources**

**Candidate Training Presentation**

**Campaign Disclosure Statutes**

**Campaign Disclosure  
Regulations**

**POFD/LFD Statutes**

**POFD/LFD Regulations**

**Procedural Regulations**

**E-Filing Templates**

## Alaska Campaign Annual Contribution Limits – AS 15.13

FROM	TO CANDIDATE	TO GROUP & NON-GROUP ENTITY	TO POLITICAL PARTY	TO IE GROUP, INITIATIVE APPLICATION GROUP, & BALLOT GROUP
Authority	AS 15.13.070	AS 15.13.070	AS 15.13.070	AS 15.13.065(c)
Individual (AK resident)	<b>Unlimited</b>	<b>Unlimited</b>	<b>\$5,000</b>	<b>Unlimited</b>
Individual (non-resident)	<b>Unlimited</b>	<b>Unlimited</b>	<b>\$5,000</b>	<b>Unlimited</b>
Corporations, Business Organizations, Unions	<b>Prohibited</b> AS 15.13.074(f)	<b>Prohibited</b> AS 15.13.074(f)	<b>Prohibited</b> AS 15.13.074(f)	<b>Unlimited</b>
Group (based in Alaska)	<b>\$1,000</b>	<b>\$1,000</b>	<b>\$1,000</b>	<b>Unlimited</b>
Group (based outside Alaska)	<b>Prohibited</b>	<b>\$1,000</b> Must first register with APOC*	<b>\$1,000</b> Must first register with APOC*	<b>Unlimited</b>
Nongroup Entity (based in Alaska)	<b>\$1,000</b>	<b>\$1,000</b>	<b>\$1,000</b>	<b>Unlimited</b>
Nongroup Entity (based outside Alaska)	<b>Prohibited</b>	<b>\$1,000</b> Must first register with APOC	<b>\$1,000</b> Must first register with APOC	<b>Unlimited</b>
Political Party	Municipal <b>\$5,000</b> House <b>\$10,000</b> Senate <b>\$15,000</b> Lt. Gov./Gov. <b>\$100,000</b>	<b>\$1,000</b>	<b>Unlimited</b>	<b>Unlimited</b>
Foreign Nationals	<b>Prohibited</b> Foreign nationals are prohibited from making expenditures or contributions in Alaska elections only to the extent prohibited or permitted by Federal law. AS 15.13.068.			

\* Groups based outside Alaska must ensure their received contributions comply with Alaska limitations before making contributions to groups based in Alaska or to a political party. Groups based in Alaska may not receive contributions from a group based outside Alaska whose received contributions do not comply with Alaska limitations, as such contributions are prohibited.

Individuals, Persons, and Groups may be required to fill out Form 15-5 Statements of Contribution and/or Form 15-6 Statements of Independent Expenditure where applicable. Please see our Forms page.

**Alaska Public Offices Commission  
Candidate Training  
General Requirements**



**Training Goals:**

- Candidate Registration Requirements
- Timeframes for Reporting of Campaign Activity
- General Disclosure Requirements
- Concluding Campaign Disclosure Requirements

**WARNING: This candidate training provides an overview of basic campaign disclosure requirements. Not all requirements or scenarios are detailed.**

- Unique situations may require specific considerations or actions.
- When in doubt, ask APOC!
- Always reference current statutes and regulations.

**Candidate Registration Requirements**

- **Offices to register with:**
  - Alaska Public Offices Commission (APOC)
    - Letter of Intent
    - Candidate Registration or Municipal Exemption Statement
    - Public Official Financial Disclosure Form
  - Division of Elections (State) or Municipal Clerk (Municipality)
    - Declaration of Candidacy to get on the ballot
- **Initial APOC Forms**
  - **Letter of Intent (AS 15.13.110; AS 15.13.072; 2 AAC 50.274)**
    - Can be filed 18 months out from the date of the election
    - **Must be filed prior to accepting contributions**
    - Not required if a Declaration of Candidacy is first filed with the Division of Elections or Municipal Clerk.
  - **Municipal Exemption Statement [AS 15.13.040(g); 2 AAC 50.286]**
    - **Exempt from filing campaign disclosure reports**
    - Not an option for state candidates (other than judicial retention)
    - Subject to all other campaign finance disclosure laws
    - Cannot raise or spend more than \$5,000

- If activity exceeds \$5,000, then a Candidate Registration form must be filed and disclose all campaign finances.
- **Campaign Registration** (AS 15.13.060; 2AAC 50.282; 2AAC 50.298)
  - Required to file no later than:
    - **7 days** after filing declaration with Municipal Clerk
    - **15 days** after filing declaration with Div. of Elections
  - Can be filed prior to declaring candidacy to designate campaign staff able to accept contributions or make expenditures
- **Public Official Financial Disclosure Form** (AS 39.50.020)
  - State candidates: must be filed before filing declaration of candidacy with the Division of Elections
  - Municipal candidates: review filing requirements with the Clerk's office if one is required with the declaration
    - If required: file before filing declaration of candidacy with the clerk's office

## **Timeframes for Reporting of Campaign Activity**

Campaign financial activity must be publicly reported **before, during, and after** the election. TIP: Calendar the deadlines and reporting periods **specific to your election**

- **Campaign Disclosure Reports** (AS 15.13.110)
  - A typical campaign cycle has **five** reporting periods:

Year Start	Due Feb. 15 if you filed a Letter of Intent, Registration, and/or Declaration of Candidacy before 02/01
30 Day Report	Due 30 days prior to election
7 Day Report	Due 7 days prior to election
24 Hour Report(s) (conditional)*	Due within 24 hours during the 9 days prior to election
105 Day/Year End Report	Due 105 days after election / Due Feb. 15

- **\*24 Hour Reports [AS 15.13.110(b)]**: Nine days prior to the election, the campaign must report all contributions in excess of \$250 within 24 hours of receipt. This includes:
  - Monetary **and** non-monetary contributions
  - Contributions from the candidate
  - Aggregate from a single contributor within the 9 day reporting period
  - Online donations

- **Penalty Rates for Late Reports (AS 15.13.390):**
  - Year Start, 30 Day, 105 Day, and Year End Reports = \$50 x days late
  - 7 Day and 24 Hour Reports = \$500 x days late

**If you are assessed a penalty, you have a right to appeal it!**

## **General Disclosure Requirements**

- **Recordkeeping (AS 15.13.060; AS 15.13.111; 2 AAC 50.320)**
  - Have a system and a system manager (Treasurer)
  - Must retain documents that substantiate activity for 6 years after the election
  
- **Contributions: know your limits and requirements and let your contributors know them too!**
  - AS 15.13.040 – Reportable Information
  - AS 15.13.070 – Contribution Limits
  - AS 15.13.072 – Contribution Restrictions
  - AS 15.13.074 – Prohibited Contributions
  
- **Alaska Campaign Annual Contribution Limits. AS 15.13 (See Tab 1)**
  
- **Contributor Information to Record and Report (AS 15.13.040; 2 AAC 50.321)**
  - Report all contributions, even if it must be returned or forfeited to the State
  - Must report the contributor's:
    - **Full name**
    - **Address**
    - **Date received** – a contribution is “received” and reportable when it is in the campaign’s physical possession
    - **Payment type** (check w/check number, credit card including PayPal/Square, electronic funds transfer, and non-monetary contribution)
    - **Amount/Monetary value**
    - **Principal Occupation and Employer** for contributions of over \$50 (aggregate within calendar year)
  - **Check contributions:** if it is from a joint account, the contributor is always the check signer. If it was meant to be from both account holders, both must sign or otherwise authorize in writing.
  
- **Non-Monetary Contributions [2 AAC 50.250(b); 2 AAC 50.321]**
  - In-kind goods or services provided to the campaign
  - Requires a description of what is donated
  - Required to disclose its “Fair Market Value”
  - Must confirm that it is from an individual and **not from a business**

- **Prohibited Contributions** (AS 15.13.070; AS 15.13.114; 2 AAC 50.250; 2 AAC 50.258; 2 AAC 50.266). **Prohibited contributions include:**
  - Anything before filing a Letter of Intent or Declaration of Candidacy
  - More than \$100 in cash
  - Anything from a corporation/business/organization/union
    - (Sole proprietors OK – attributable to owner and must be verified)
  - Groups based outside of Alaska
  - 45 days after the date of the election
  - Anonymous contributions (10 days to identify the contributor or forfeit to State of Alaska).
- **Easy Fix: Report it then Return it!**
- **Expenditure Rules** [AS 15.13.082; AS 15.13.086; 2 AAC 50.321]
  - Only the candidate, treasurer, and deputy treasurers can make expenditures.
  - Cannot spend a contribution without first recording it
  - Cannot spend more than \$100 in cash unless you get a receipt
  - When reporting expenditures for campaign consulting or media buys, you must detail the services provided and subcontractors (includes identifying radio/tv stations where media was placed).
- **Reimbursements** [AS 15.13.082; AS 15.13.086; 2 AAC 50.321]
  - Only the candidate, treasurer, and deputy treasurers can make expenditures.
  - Cannot spend a contribution without first recording it
  - Use of personal money is a contribution unless:
    - For Treasurer/Deputy Treasurers: it is no more than \$500 and is repaid within the same reporting cycle
    - Candidate must be repaid within 3 days, or it becomes a contribution
- **Candidate Contributions and Loans** (AS 15.13.078; 2 AAC 50.254)
  - Candidates can make unlimited personal contributions to their campaign!
    - Report as a contribution
    - Must be from the candidate’s personal finances
      - Not from business/business assets owned by the candidate
    - **Exception: 33 days prior to the election, limited to \$5,000**
  - Candidates can “loan” and be repaid *after* the election using leftover, unused campaign contributions, up to:
    - \$5,000 for candidates running for municipal office
    - \$10,000 for candidates running for Alaska legislature
    - \$25,000 for candidates running for governor or lieutenant governor
    - **Candidates MUST complete a “Candidate Reimbursement Form” within 5 days of the loan in order to be repaid after the election.**

- When reporting a candidate “loan”, report it as a contribution
- **Campaign Debt** (AS 15.13.040; 2 AAC 50.321)
  - Any unpaid expense at the end of a reporting period must be reported as debt
  - Reportable when incurred
  - Payments on debts are expenditures
  - Must re-list debts on each report until it is paid in full
  - Once paid in full, do not report as debt
- **“Paid For By” Identifiers** (AS 15.13.090; 2 AAC 50.306)
  - All media ads and communications must be identified
    - Audio vs. Visual Requirements
      - Sound (audio/radio) = Audible Identifier  
 “*This communication was paid for by (name of purchaser)*”
        - Must be read in a manner that is easily heard and audible at the same volume as the rest of the communication
      - Image (print/video) = Visual Identifier  
 “*Paid for by (name & address of purchaser)*”
        - Address abbreviations are ok! (i.e. AK or Rd.)
        - Must be separate from other text and visible to be read
        - Must be on screen for the entirety of the communication
    - Combined Sound/Image (videos/commercials)
      - Must have **both** audio and visual identifiers!
  - Social Media and Internet Ads
    - Profile page must include the full identifier
    - The ad must include a disclaimer on the ad itself or may link to a page where a full identifier can be easily viewed.
  - Exceptions:
    - Items smaller than 3.5 x 5 inches (EXCLUDING media ads, email, social media, and website material)
    - See AS 15.13.090 and 2 AAC 50.306 for exceptions.

## **Concluding Your Campaign**

- **Final Report**
  - Ensure that all debts and bills have been paid
  - Reconcile your bank statements with ALL of your reports
    - Start with your first report and work forward
    - Make amendments and verify accuracy of financial summary totals on each report

- Designate your report as “**Final**” if all leftover funds have been disbursed and debts have been paid
- **Leftover Funds (AS 15.13.116)**
  - Deadline for disbursement and final report are not the same.
    - Municipal candidates: funds must be disbursed no later than 90 days after the date of the elections
    - State candidates: funds must be disbursed no later than February 1<sup>st</sup>
  - General disbursement options under AS 15.13.116:
    - Give back to the contributors (see statute for specific requirements)
    - Give to a political party
    - Give to Alaska’s General Fund or the Federal government
    - Give to a charity
    - Future Campaign Account
    - Public Office Expense Term (POET) Account
- **Future Reporting Requirements? (AS 15.13.116; 2 AAC 50.384)**
  - A candidate who is unable to close a campaign account or pay debts by the deadline must continue to file applicable reports until the account is zero and all debts have been paid.
  - Candidates who create a Future Campaign Account and/or POET Account are required to file annual reports for the account(s) by February 15<sup>th</sup>

## APOC CONTACT INFORMATION

Information Email: [apoc@alaska.gov](mailto:apoc@alaska.gov)  
 Reports Email: [doa.apoc.reports@alaska.gov](mailto:doa.apoc.reports@alaska.gov)

<p style="text-align: center;"><b><u>Anchorage Office</u></b>          2221 E. Northern Lights Blvd, Rm 128          Anchorage, Alaska 99508          (907) 276-4176          (800) 478-4176          Fax: (907) 276-7018</p>	<p style="text-align: center;"><b><u>Juneau Office</u></b>          240 Main Street #201          P.O. Box 110222          Juneau, Alaska 99811          (907) 465-4864          Fax: (907) 465-4832</p>
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# **ALASKA STATE STATUTES**

## **CAMPAIGN DISCLOSURE LAW**



**AS 15.13**

**Revised  
May 2021**

## CHAPTER 15.13 STATE ELECTION CAMPAIGNS

### Section

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| 20. | <a href="#">Alaska Public Offices Commission</a>   | 95.  | <a href="#">False statements in telephone polling and calls to convince</a>            |
| 30. | <a href="#">Duties of the commission</a>   | 100. | <a href="#">Expenditures before filing</a>   |
| 40. | <a href="#">Contributions, expenditures, and supplying of services to be reported</a>        | 110. | <a href="#">Filing of reports</a>  |
| 45. | <a href="#">Investigations, hearings</a>   | 111. | <a href="#">Preservation of Records [Effective January 1, 2009.]</a>                   |
| 50. | <a href="#">Registration before expenditure</a>  | 112. | <a href="#">Uses of campaign contributions held by candidate or group</a>              |
| 52. | <a href="#">Independent expenditures; political activities accounts</a>                      | 114. | <a href="#">Disposition of prohibited contributions</a>                                |
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| 65. | <a href="#">Contributions</a>  | 135. | <a href="#">Independent expenditures for or against candidates</a>                     |
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**Cross references.** – For legislative findings and purpose concerning the 1996 amendments made by ch 48, SLA 1996 that relate to this chapter, see § 1, ch 48, SLA 1996 in the Temporary and Special Acts. For construction of the 1996 amendments, see § 29, ch. 48, SLA 1996 in the Temporary and Special Acts. For severability of the provisions of ch. 48, SLA 1996, see § 31, ch. 48, SLA 1996 in the Temporary and Special Acts. For provisions relating to certain persons holding unused campaign contributions on January 1, 1997, see § 32, ch. 48, SLA 1996 in the Temporary and Special Acts.

**Administrative Code.** – For Alaska Public Offices Commission: conflict of interest, campaign disclosure, legislative financial disclosure, and regulation of lobbying, see 2 AAC 50.

**Legislative history reports.** – For governor’s transmittal letter for chapter 108, SLA 2003 (Senate Bill 119), which added or amended various provisions in this chapter, see 2003 Senate Journal 407 – 408. For governor’s transmittal letter for ch. 47 SLA 2007 (HB 109), which amended various provisions of this chapter, see 2007 House Journal 109 – 110.

**Collateral references.** – 25 Am. Jur. 2d, Elections, § 1 et seq.  
29 C.J.S., Elections, §§ 2-4, 6, 118(7), 216(1)-216(5).

## **Chapter 15.13. STATE ELECTION CAMPAIGNS**

### **Sec. 15.13.010. Applicability.**

(a) This chapter applies

(1) in every election for governor, lieutenant governor, a member of the state legislature, a delegate to a constitutional convention, or judge seeking judicial retention;

(2) to every candidate for election to a municipal office in a municipality with a population of more than 1,000 inhabitants according to the latest United States census figures or estimates of population certified as correct for administrative purposes by the Department of Commerce, Community, and Economic Development unless the municipality has exempted itself from the provisions of this chapter; a municipality may exempt its elected municipal officers from the requirements of this chapter if a majority of the voters voting on the question at a regular election, as defined by AS 29.71.800(20), or a special municipality-wide election called for that purpose, votes to exempt its elected municipal officers from the requirements of this chapter; the question of exemption from the requirements of this chapter may be submitted by the governing body by ordinance or by initiative election.

(b) Except as otherwise provided, this chapter applies to contributions, expenditures, and communications made for the purpose of influencing the outcome of a ballot proposition or question as well as those made to influence the nomination or election of a candidate.

(c) This chapter does not prohibit a municipality from regulating by ordinance election campaign contributions and expenditures in municipal elections, or from regulating those campaign contributions and expenditures more strictly than provided in this chapter.

(d) This chapter does not limit the authority of a person to make contributions to influence the outcome of a voter proposition submitted to the public for a vote at a municipal election. In this subsection, in addition to its meaning under AS 15.13.065(c), “proposition” means a municipal reclassification, proposal to adopt or amend a home rule charter, a unification proposal, a boundary change proposal, or the approval of an ordinance when approval by public vote is a requirement for the ordinance.

*Sec. 15.13.011. Inapplicability to presidential primary. [Repealed, Sec. 1 ch 2 SLA 1984].*

Repealed or Renumbered

**Sec. 15.13.020. Alaska Public Offices Commission.**

(a) There is created in the Department of Administration the Alaska Public Offices Commission consisting of five members. The governor shall appoint all members of the commission in the manner prescribed in (b) and (c) of this section, subject to confirmation by a majority of the legislature meeting in joint session.

(b) The governor shall appoint two members of each of the two political parties or political groups with the largest number of registered voters at the time of the most recent preceding general election at which a governor was elected. The two appointees from each of these two parties or groups shall be chosen from a list of four names to be submitted by the central committee of each party or group.

(c) The four members selected under (b) of this section shall, by a majority vote, nominate to the governor an individual to serve as the fifth member of the commission. The governor shall either appoint the nominee to the commission, or shall reject the nominee and request those four members to nominate another individual to serve as the fifth member of the commission.

(d) Members of the commission serve staggered terms of five years, or until a successor is appointed and qualifies. The terms of no two members who are members of the same political party or political group may expire in consecutive years. A member may not serve more than one term. However, a person appointed to fill the unexpired term of a predecessor may be appointed to a successive full five-year term.

(e) A member of the commission, during tenure, may not

(1) hold or campaign for elective office;

(2) be an officer of a political party, political committee, or group;

(3) permit the member's name to be used, or make any contributions whatsoever, in support of or in opposition to a candidate or proposition or question that appears on any ballot in the state including but not limited to that of a municipality; however, contributions may be made to a candidate for the office of President of the United States;

(4) participate in any way in an election campaign or participate in or contribute to any political party; or

(5) lobby, employ or assist a lobbyist.

(f) Members of the commission shall receive compensation of \$50 a day while attending commission meetings and shall be entitled to travel expenses and per diem authorized by law for members of other boards and commissions.

(g) The members shall elect a chairperson. Three members of the commission constitute a quorum. A vacancy does not impair the powers of the remaining members to exercise all of the powers of the commission.

(h) A vacancy on the commission shall be filled through the appropriate appointing method for the position within 30 days after the occurrence of the vacancy. Except as provided in AS 39.05.080 (4), the appointee shall serve for the remaining term of the appointee's predecessor.

(i) The commission may employ an executive director and other employees it considers necessary. Neither the executive director nor an employee may have a vote.

(j) The commission shall establish an office, which may be called a regional office, in each senate district in the state to keep on file for public inspection copies of all reports filed with the commission by candidates for statewide office and by candidates for legislative office in that district; however, where one municipality contains more than one house district, only one commission office shall be established in that municipality. The regional office shall make all forms and pertinent material available to candidates. All reports shall be filed by candidates, groups, and individuals directly with the commission's central district office. The commission shall ensure that copies of all reports by statewide and legislative candidates in each senate district are forwarded promptly to that district or regional office.

(k) The commission shall ensure that copies of reports filed by candidates for municipal office are made available for public inspection in the appropriate municipality.

### **Sec. 15.13.030. Duties of the commission.**

The commission shall

(1) develop and provide all forms for the reports and statements required to be made under this chapter, AS 24.45, and AS 39.50;

(2) prepare and publish a manual setting out uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter and otherwise assist all persons in complying with the requirements of this chapter;

(3) receive and hold open for public inspection reports and statements required to be made under this chapter and, upon request, furnish copies at cost to interested persons;

(4) compile and maintain a current list of all filed reports and statements;

(5) prepare a summary of each report filed under AS 15.13.110 and make copies of this summary available to interested persons at their actual cost;

(6) notify, by registered or certified mail, all persons who are delinquent in filing reports and statements required to be made under this chapter;

(7) examine, investigate, and compare all reports, statements, and actions required by this chapter, AS 24.45, and AS 39.50;

(8) prepare and publish a biennial report concerning the activities of the commission, the effectiveness of this chapter, its enforcement by the attorney general's office, and recommendations and proposals for change; the commission shall notify the legislature that the report is available;

(9) adopt regulations necessary to implement and clarify the provisions of AS 24.45, AS 39.50, and this chapter, subject to the provisions of AS 44.62 (Administrative Procedure Act); and

(10) consider a written request for an advisory opinion concerning the application of this chapter, AS 24.45, AS 24.60.200 - 24.60.260, or AS 39.50.

**Sec. 15.13.040. Contributions, expenditures, and supplying of services to be reported.**

(a) Except as provided in (g) and (l) of this section, each candidate shall make a full report, upon a form prescribed by the commission,

(1) listing

(A) the date and amount of all expenditures made by the candidate;

(B) the total amount of all contributions, including all funds contributed by the candidate;

(C) the name, address, date, and amount contributed by each contributor; and

(D) for contributions in excess of \$50 in the aggregate during a calendar year, the principal occupation and employer of the contributor; and

(2) filed in accordance with AS 15.13.110 and certified correct by the candidate or campaign treasurer.

(b) Each group shall make a full report upon a form prescribed by the commission, listing

(1) the name and address of each officer and director;

(2) the aggregate amount of all contributions made to it; and, for all contributions in excess of \$100 in the aggregate a year, the name, address, principal occupation, and employer of the contributor, and the date and amount contributed by each contributor; for purposes of this paragraph, "contributor" means the true source of the funds, property, or services being contributed; and

(3) the date and amount of all contributions made by it and all expenditures made, incurred, or authorized by it.

(c) The report required under (b) of this section shall be filed in accordance with AS 15.13.110 and shall be certified as correct by the group's treasurer.

(d) Every person making an independent expenditure shall make a full report of expenditures made and contributions received, upon a form prescribed by the commission, unless exempt from reporting.

(e) Each person required to report under (d) of this section shall file a full report in accordance with AS 15.13.110(h) on a form prescribed by the commission. The report must contain

(1) the name, address, principal occupation, and employer of the individual filing the report;

(2) an itemized list of all expenditures made, incurred, or authorized by the person;

(3) the name of the candidate or the title of the ballot proposition or question supported or opposed by each expenditure and whether the expenditure is made to support or oppose the candidate or ballot proposition or question;

(4) the name and address of each officer and director, when applicable;

(5) the aggregate amount of all contributions made to the person, if any, for the purpose of influencing the outcome of an election; for all contributions, the date of the contribution and amount contributed by each contributor; and, for a contributor

(A) who is an individual, the name and address of the contributor and, for contributions in excess of \$50 in the aggregate during a calendar year, the name, address, principal occupation, and employer of the contributor; or

(B) that is not an individual, the name and address of the contributor and the name and address of each officer and director of the contributor.

(f) During each year in which an election occurs, all businesses, persons, or groups that furnish any of the following services, facilities, or supplies to a candidate or group shall maintain a record of each transaction: newspapers, radio, television, advertising, advertising agency services, accounting, billboards, printing, secretarial, public opinion polls, or research and professional campaign consultation or management, media production or preparation, or computer services. Records of provision of services, facilities, or supplies shall be available for inspection by the commission.

(g) The provisions of (a) and (l) of this section do not apply to a delegate to a constitutional convention, a judge seeking judicial retention, or a candidate for election to a municipal office under AS 15.13.010, if that delegate, judge, or candidate

(1) indicates, on a form prescribed by the commission, an intent not to raise and not to expend more than \$5,000 in seeking election to office, including both the primary and general elections;

(2) accepts contributions totaling not more than \$5,000 in seeking election to office, including both the primary and general elections; and

(3) makes expenditures totaling not more than \$5,000 in seeking election to office, including both the primary and general elections.

(h) The provisions of (d) of this section do not apply to one or more expenditures made by an individual acting independently of any other person if the expenditures

(1) cumulatively do not exceed \$500 during a calendar year; and

(2) are made only for billboards, signs, or printed material concerning a ballot proposition as that term is defined by AS 15.13.065(c).

(i) The permission of the owner of real or personal property to post political signs, including bumper stickers, or to use space for an event or to store campaign-related materials is not considered to be a contribution to a candidate under this chapter unless the owner customarily charges a fee or receives payment for that activity. The fact that the owner customarily charges a fee or receives payment for posting signs that are not political signs is not determinative of whether the owner customarily does so for political signs.

(j) Except as provided in (l) of this section, each nongroup entity shall make a full report in accordance with AS 15.13.110 upon a form prescribed by the commission and certified by the nongroup entity's treasurer, listing

(1) the name and address of each officer and director of the nongroup entity;

(2) the aggregate amount of all contributions made to the nongroup entity for the purpose of influencing the outcome of an election;

(3) for all contributions described in (2) of this subsection, the name, address, date, and amount contributed by each contributor, for all contributions described in (2) of this subsection in excess of \$250 in the aggregate during a calendar year, the principal occupation and employer of the contributor, and for all contributions described in (2) of this subsection in excess of \$2,000 in the aggregate during a calendar year, the true source of such contributions and all intermediaries, if any, who transferred such funds, and a certification from the treasurer that the report discloses all of the information required by this paragraph; and

(4) the date and amount of all contributions made by the nongroup entity, and, except as provided for certain independent expenditures in [AS 15.13.135](#)(a), all expenditures made, incurred, or authorized by the nongroup entity, for the purpose of influencing the outcome of an election; a nongroup entity shall report contributions made to a different nongroup entity for the purpose of influencing the outcome of an election and expenditures made on behalf of a different nongroup entity for the purpose of influencing the outcome of an election as soon as the total contributions and expenditures to that nongroup entity for the purpose of influencing the outcome of an election reach \$500 in a year and for all subsequent contributions and expenditures to that nongroup entity in a year whenever the total contributions and expenditures to that nongroup entity for the purpose of influencing the outcome of an election that have not been reported under this paragraph reach \$500.

(k) Every individual, person, nongroup entity, or group contributing a total of \$500 or more to a group organized for the principal purpose of influencing the outcome of a proposition, and every individual, person, nongroup entity, or group contributing a total of \$500 or more to a group organized for the principal purpose of filing an initiative proposal

application under AS 15.45.020 or that has filed an initiative proposal application under AS 15.45.020, shall report the contribution or contributions on a form prescribed by the commission not later than 30 days after the contribution that requires the contributor to report under this subsection is made. The report must include the name, address, principal occupation, and employer of the individual filing the report and the amount of the contribution, as well as the total amount of contributions made to that group by that individual, person, nongroup entity, or group during the calendar year.

(I) Notwithstanding (a), (b), and (j) of this section, for any fund-raising activity in which contributions are in amounts or values that do not exceed \$50 a person, the candidate, group, or nongroup entity shall report contributions and expenditures and supplying of services under this subsection as follows:

(1) a report under this subsection must

(A) describe the fund-raising activity;

(B) include the number of persons making contributions and the total proceeds from the activity;

(C) report all contributions made for the fund-raising activity that do not exceed \$50 a person in amount or value; if a contribution for the fund-raising activity exceeds \$50, the contribution shall be reported under (a), (b), and (j) of this section;

(2) for purposes of this subsection,

(A) "contribution" means a cash donation, a purchase such as the purchase of a ticket, the purchase of goods or services offered for sale at a fund-raising activity, or a donation of goods or services for the fund-raising activity;

(B) "fund-raising activity" means an activity, event, or sale of goods undertaken by a candidate, group, or nongroup entity in which contributions are \$50 a person or less in amount or value.

(m) Information required under this chapter shall be submitted to the commission electronically, except that the following information may be submitted in clear and legible black typeface or hand-printed in dark ink on paper in a format approved by the commission or on forms provided by the commission:

(1) information submitted by

(A) a candidate for election to a borough or city office of mayor, membership on a borough assembly, city council, or school board, or any state office, who

(i) meets the requirements of (g)(1) - (3) of this section; or

(ii) does not have reasonable access to the technology necessary to file electronically; in this sub-subparagraph, a candidate is considered not to have reasonable access to the technology necessary to file electronically if the candidate does not own a personal computer or does not have broadband Internet access at the candidate's residence; in this sub-subparagraph, "broadband Internet access" means high-speed Internet access that is always on and that is faster than traditional dial-up access; or

(B) a candidate for municipal office for a municipality with a population of less than 15,000; in this subparagraph, "municipal office" means the office of an elected borough or city

(i) mayor; or

(ii) assembly, council, or school board member;

(2) any information if the commission determines that circumstances warrant an exception to the electronic submission requirement.

(n) The commission shall print the forms to be provided under this chapter so that the front and back of each page have the same orientation when the page is rotated on the vertical axis of the page.

(o) Information required by this chapter that is submitted to the commission on paper and not electronically shall be electronically scanned and published on the Internet by the commission, in a format accessible to the general public, within two working days after the commission receives the information.

(p) Notwithstanding the requirement in (a) of this section that a candidate shall make a full report upon a form prescribed by the commission, the commission shall accept information submitted electronically by a candidate if the information is

(1) entered onto a version of a form accessed on the Internet website of the commission; or

(2) in the form of an electronic spreadsheet or data file that contains field names and data types that conform to a standard defined by the commission.

(q) For purposes of (b), (e), and (j) of this section, "contributor" means the true source of the funds, property, or services being contributed.

(r) Every individual, person, nongroup entity, or group that contributes more than \$2,000 in the aggregate in a calendar year to an entity that made one or more independent expenditures in one or more candidate elections in the previous election cycle, that is making one or more independent expenditures in one or more candidate elections in the current election cycle, or that the contributor knows or has reason to know is likely to make independent expenditures in one or more candidate elections in the current election cycle shall report making the contribution or contributions on a form prescribed by the commission not later than 24 hours after the contribution that requires the contributor to report under this subsection is made. The report must include the name, address, principal occupation, and employer of the individual filing the report and the amount of the contribution, as well as the total amount of contributions made to that entity by that individual, person, nongroup entity, or group during the calendar year. For purposes of this subsection, the reporting contributor is required to report and certify the true sources of the contribution, and intermediaries, if any, as defined by AS 15.13.400(18). This contributor is also required to provide the identity of the true source to the recipient of the contribution simultaneously with providing the contribution itself.

(s) For purposes of (e) of this section,

(1) "director" means a member of the board of directors of a corporation or any person performing a similar function with respect to any organization;

(2) "officer" means a president, vice-president, secretary, treasurer, principal financial officer, or comptroller of a corporation, or any person routinely performing functions similar to those of a president, vice-president, secretary, treasurer, principal financial officer, or comptroller with respect to any organization.

#### **Sec. 15.13.045. Investigations, hearings.**

(a) The commission may issue subpoenas, administer oaths, hold hearings, and conduct investigations.

(b) In conjunction with (a) of this section, the commission may compel the attendance of witnesses and production of papers, books, records, accounts, documents, and testimony, and may have the deposition of witnesses taken in a manner prescribed by court rule or law for the taking of depositions in civil actions when consistent with the powers and duties assigned to the commission by this chapter.

(c) The commission may examine the papers, books, records, accounts, and documents of any person subject to this chapter to ascertain the correctness of a report filed with the commission, or in conjunction with an investigation or inspection conducted under (a) of this section.

(d) Subpoenas may be issued and shall be served in the manner prescribed by AS 44.62.430 and court rule. The failure, refusal, or neglect to obey a subpoena is punishable as contempt in the manner prescribed by law or court rule. The superior court may compel obedience to the commission's subpoena in the same manner as prescribed for obedience to a subpoena issued by the court.

#### **Sec. 15.13.050. Registration before expenditure.**

(a) Before making an expenditure in support of or in opposition to a candidate or before making an expenditure in support of or in opposition to a ballot proposition or question or to an initiative proposal application filed with the lieutenant governor under AS 15.45.020, each person other than an individual shall register, on forms provided by the commission, with the commission.

(b) If a group intends to support only one candidate or to contribute to or expend on behalf of one candidate 33 1/3 percent or more of its funds, the name of the candidate shall be a part of the name of the group. If the group intends to oppose only one candidate or to contribute its funds in opposition to or make expenditures in opposition to a candidate, the group's name must clearly state that it opposes that candidate by using a word such as "opposes," "opposing," "in opposition to," or "against" in the group's name. Promptly upon receiving the registration, the commission shall notify the candidate of the group's organization and intent. A candidate may register more than one group to support the

candidate; however, multiple groups controlled by a single candidate shall be treated as a single group for purposes of the contribution limit in [AS 15.13.070](#) (b)(1).

(c) If a group intends to make more than 50 percent of its contributions or expenditures in support of or in opposition to a single initiative on the ballot, the title or common name of the initiative must be a part of the name of the group. If the group intends to make more than 50 percent of its contributions or expenditures in opposition to a single initiative on the ballot, the group's name must clearly state that the group opposes that initiative by using a word such as "opposes," "opposing," "in opposition to," or "against" in the group's name.

### **Sec. 15.13.052. Independent expenditures; political activities accounts.**

(a) Before making an independent expenditure in support of or in opposition to a candidate or before making an independent expenditure in support of or in opposition to a ballot proposition or question, each person other than an individual, candidate, or nongroup entity with an annual operating budget of \$250 or less shall establish a political activities account. The political activities account may be a separate account in the person's general treasury. The political activities account must be administered using generally accepted accounting principles. All funds used by the person to make independent expenditures must be drawn from the person's political activities account.

(b) Records necessary to substantiate that the requirements of (a) of this section have been met must be made available for inspection by the commission.

(c) Each person who has established a political activities account under this section shall preserve all records necessary to substantiate the person's compliance with the requirements of this section for each of the six preceding years.

### **Sec. 15.13.060. Campaign treasurers.**

(a) Each candidate and group shall appoint a campaign treasurer who is responsible for receiving, holding, and disbursing all contributions and expenditures, and for filing all reports and statements required by law. A candidate may be a campaign treasurer.

(b) Each group shall file the name and address of its campaign treasurer with the commission at the time it registers with the commission under [AS 15.13.050](#) .

(c) Each candidate for state office shall file the name and address of the campaign treasurer with the commission, or submit, in writing, the name and address of the campaign treasurer to the director for filing with the commission, no later than 15 days after the date of filing the declaration of candidacy or the nominating petition. Each candidate for municipal office shall file the name and address of the campaign treasurer with the commission no later than seven days after the date of filing the declaration of candidacy or the nominating petition. If the candidate does not designate a campaign treasurer, the candidate is the campaign treasurer.

(d) In the case of the death, resignation, or removal of a campaign treasurer, the candidate shall appoint a successor as soon as practicable and file the successor's name and

address with the commission within 48 hours of the appointment. The candidate is disqualified if found to have been in wilful violation of this subsection.

(e) A campaign treasurer may appoint as many deputy campaign treasurers as necessary. The candidate shall file the names and addresses of the deputy campaign treasurers with the commission.

(f) The candidate is responsible for the performance of the campaign treasurer, and any default or violation by the treasurer also shall be considered a default or violation by the candidate if the candidate knew or had reason to know of the default or violation.

### **Sec. 15.13.065. Contributions.**

(a) Individuals, groups, nongroup entities, and political parties may make contributions to a candidate. An individual, group, or nongroup entity may make a contribution to a group, to a nongroup entity, or to a political party.

(b) A political party may contribute to a subordinate unit of the political party, and a subordinate unit of a political party may contribute to the political party of which it is a subordinate unit.

(c) Except for reports required by [AS 15.13.040](#) and 15.13.110 and except for the requirements of [AS 15.13.050](#), 15.13.060, and 15.13.112 - 15.13.114, the provisions of [AS 15.13.010](#) - 15.13.116 do not apply to limit the authority of a person to make contributions to influence the outcome of a ballot proposition. In this subsection, in addition to its meaning in [AS 15.80.010](#), "proposition" includes

(1) an issue placed on a ballot to determine whether

(A) a constitutional convention shall be called;

(B) a debt shall be contracted;

(C) an advisory question shall be approved or rejected; or

(D) a municipality shall be incorporated;

(2) an initiative proposal application filed with the lieutenant governor under [AS 15.45.020](#).

### **Sec. 15.13.067. Who may make expenditures.**

Only the following may make an expenditure that is not an independent expenditure in an election for candidates for elective office:

(1) the candidate;

(2) an individual;

(3) a group that has registered under [AS 15.13.050](#); and

(4) a nongroup entity that has registered under [AS 15.13.050](#).

**Sec. 15.13.068. Expenditures and contributions by foreign-influenced corporations and foreign nationals.**

(a) A foreign-influenced corporation or foreign national may not, directly or indirectly, in connection with an election under this chapter, make a contribution or expenditure or make an express or implied promise to make a contribution or expenditure.

(b) The provisions of this section prohibit a foreign-influenced corporation or foreign national from making a contribution or expenditure in connection with a state election only to the extent

(1) federal law prohibits the foreign-influenced corporation or foreign national from making a contribution or expenditure in connection with a state election; and

(2) permitted by federal law.

(c) Notwithstanding (a) of this section, a foreign-influenced corporation may make a contribution to a person who makes covered expenditures or contributions if that person segregates contributions from foreign nationals and foreign-influenced corporations into a separate bank account that may not be used, directly or indirectly, to finance covered expenditures or contributions.

(d) In this section, when determining the percentage of a corporation's shares outstanding or equity owned by two or more foreign nationals,

(1) ownership in a mutual or pension fund that holds securities is not a form of ownership or control in such securities unless the foreign national or foreign owner can exercise control or participate in the management of the fund;

(2) for privately held corporations, a corporation shall determine its percentage of foreign ownership at the time it obligates funds to make covered expenditures or contributions;

(3) a publicly held corporation shall determine whether it is a foreign-influenced corporation based on its aggregate foreign ownership percentage at the close of trading on the last business day of the calendar quarter preceding the date the corporation makes or obligates funds to make a covered expenditure or contribution, unless the corporation has actual knowledge of its foreign ownership percentage at the time it makes or becomes obligated to make the covered expenditure or contribution; for the purposes of this paragraph, the corporation shall rely on facts, including information

(A) in the corporation's shareholder register;

(B) in possession of the United States Securities and Exchange Commission or another governmental agency that is available to the general public;

(C) known to the corporation as a result of litigation, financing transactions, or proxies voted at annual or other meetings; and

(D) known to the corporation from another source.

(e) In this section,

(1) "corporation" means any corporation, company, limited liability company, limited partnership, business trust, business association, or other similar entity;

(2) “covered expenditure” means an independent expenditure, electioneering expenditure, or express communication, but does not include a media communication, membership communication, shareholder communication, or expenditure as defined in AS 15.13.400;

(3) “election” means any state or local election, including a special or runoff election;

(4) “electioneering expenditure” means a purchase or transfer of, or a promise or agreement to purchase or transfer, money or a thing of value to enable or facilitate the broadcast or other distribution of a communication that

(A) clearly refers to a candidate for an election under (B) of this paragraph;

(B) occurs in a 60-day period immediately preceding a general, special, or runoff election or within the 30 days preceding a primary or preference election, or a convention or caucus of a political party legally permitted to nominate a candidate for an election under this chapter; and

(C) may be received by 500 or more persons in the jurisdiction the candidate seeks to represent;

(5) “foreign-influenced corporation” means a corporation for which

(A) a foreign national or foreign owner holds, owns, controls, or has direct or indirect beneficial ownership of equity or voting shares in an amount equal to or greater than five percent of all corporate voting shares outstanding or all corporate equity;

(B) two or more foreign nationals or foreign owners combined hold, own, control, or have direct or indirect beneficial ownership of equity or voting shares in an amount equal to or greater than 20 percent of all corporate voting shares outstanding or all corporate equity; or

(C) a foreign national or foreign owner participates directly or indirectly in decisions relating to covered expenditures or contributions;

(6) “foreign national” means

(A) an individual who is not a United States citizen or lawfully admitted for permanent residence under 8 U.S.C. 1101(a)(20);

(B) a foreign government, every political subdivision of a foreign government, every official, agent, or representative of a foreign government, and every agency, corporation, or instrumentality of the foreign government or of a political subdivision of a foreign government;

(C) a person outside of the United States, unless it is established that the person is an individual and a citizen of and domiciled in the United States, or that the person is not an individual and is organized under or created by the laws of the United States or of any state or other place subject to the jurisdiction of the United States and has its principal place of business in the United States; or

(D) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country;

(7) “foreign owner” means a person for whom a foreign national holds, owns, controls, or otherwise has directly or indirectly acquired beneficial ownership of equity or voting shares in a corporation in an amount equal to or greater than 50 percent of all corporate voting shares outstanding or all corporate equity;

(8) “media communication” means a communication

(A) in a news story, commentary, or editorial distributed through the facilities of a radio station, television station, cable television system, or satellite system, newspaper, magazine, or other periodical publication, unless the facilities are owned or controlled by a political party, political committee, or candidate; or

(B) that constitutes a public debate or forum that includes at least two opposing candidates for an office or one advocate and one opponent of an issue, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum, provided that the staging organization

(i) is a charitable organization that does not make other covered expenditures and does not otherwise support or oppose any political candidate, political party, ballot propositions or questions, or initiative proposals or is a newspaper, radio station, television station, cable television system, or satellite system, newspaper, magazine, or other periodical publication, or other recognized news medium; and

(ii) does not structure the debate to promote or advance one candidate or issue position over another;

(9) “membership communication” means a direct and private communication between a membership organization or union and one or more members of the organization or union, if the membership organization or union

(A) has members with authority to administer the membership organization or union;

(B) expressly states the qualifications and requirements for membership in articles, bylaws, or other formal organizational documents; and

(C) is not organized primarily for the purpose of making covered expenditures or influencing elections, ballot propositions, ballot questions, or ballot initiative proposals;

(10) “shareholder communication” means a direct and private communication between a corporation and shareholders, executives, or administrative personnel of the corporation.

**Sec. 15.13.069. Certain expenditures that comply with charitable gaming provisions permitted.**

Notwithstanding another provision of this title, a charitable gaming permittee that is a qualified organization under [AS 05.15.690](#) may use the net proceeds of a raffle or lottery to make expenditures for the purposes permitted under [AS 05.15.150](#)(a)(3).

**Sec. 15.13.070. Limitations on amount of political contributions.**

(a) An individual or group may make contributions, subject only to the limitations of this chapter and AS 24.45, including the limitations on the maximum amounts set out in this section.

(b) An individual may contribute not more than

(1) \$500 per year to a nongroup entity for the purpose of influencing the nomination or election of a candidate, to a candidate, to an individual who conducts a write-in campaign as a candidate, or to a group that is not a political party;

(2) \$5,000 per year to a political party.

(c) A group that is not a political party may contribute not more than \$1,000 per year

(1) to a candidate, or to an individual who conducts a write-in campaign as a candidate;

(2) to another group, to a nongroup entity, or to a political party.

(d) A political party may contribute to a candidate, or to an individual who conducts a write-in campaign, for the following offices an amount not to exceed

(1) \$100,000 per year, if the election is for governor or lieutenant governor;

(2) \$15,000 per year, if the election is for the state senate;

(3) \$10,000 per year, if the election is for the state house of representatives; and

(4) \$5,000 per year, if the election is for

(A) delegate to a constitutional convention;

(B) judge seeking retention; or

(C) municipal office.

(e) This section does not prohibit a candidate from using up to a total of \$1,000 from campaign contributions in a year to pay the cost of

(1) attendance by a candidate or guests of the candidate at an event or other function sponsored by a political party or by a subordinate unit of a political party;

(2) membership in a political party, subordinate unit of a political party, or other entity within a political party, or subscription to a publication from a political party; or

(3) co-sponsorship of an event or other function sponsored by a political party or by a subordinate unit of a political party.

(f) A nongroup entity may contribute not more than \$1,000 a year to another nongroup entity for the purpose of influencing the nomination or election of a candidate, to a candidate, to an individual who conducts a write-in campaign as a candidate, to a group, or to a political party.

(g) Where contributions are made to a joint campaign for governor and lieutenant governor,

(1) an individual may contribute not more than \$1,000 per year; and

(2) a group may contribute not more than \$2,000 per year.

**Sec. 15.13.072. Restrictions on solicitation and acceptance of contributions.**

(a) A candidate or an individual who has filed with the commission the document necessary to permit that individual to incur election-related expenses under AS 15.13.100 may not solicit or accept a contribution from

(1) a person not authorized by law to make a contribution;

(2) an individual who is not a resident of the state at the time the contribution is made, except as provided in (e) of this section;

(3) a group organized under the laws of another state, resident in another state, or whose participants are not residents of this state at the time the contribution is made; or

(4) a person registered as a lobbyist if the contribution violates AS 15.13.074(g) or AS 24.45.121 (a)(8).

(b) A candidate or an individual who has filed with the commission the document necessary to permit the individual to incur election-related expenses under AS 15.13.100, or a group, may not solicit or accept a cash contribution that exceeds \$100.

(c) An individual, or one acting directly or indirectly on behalf of that individual, may not solicit or accept a contribution

(1) before the date for which contributions may be made as determined under AS 15.13.074(c); or

(2) later than the day after which contributions may not be made as determined under AS 15.13.074 (c).

(d) While the legislature is convened in a regular or special legislative session, a legislator or legislative employee may not solicit or accept a contribution to be used for the purpose of influencing the outcome of an election under this chapter unless

(1) it is an election in which the legislator or legislative employee is a candidate and the contribution is for that legislator's or legislative employee's campaign;

(2) the solicitation or acceptance occurs during the 90 days immediately preceding that election; and

(3) the solicitation or acceptance occurs in a place other than the capital city or a municipality in which the legislature is convened in special session if the legislature is convened in a municipality other than the capital city.

(e) A candidate or an individual who has filed with the commission the document necessary to permit that individual to incur election-related expenses under AS 15.13.100 may solicit or accept contributions from an individual who is not a resident of the state at the time the contribution is made if the amounts contributed by individuals who are not residents do not exceed

(1) \$20,000 a calendar year, if the candidate or individual is seeking the office of governor or lieutenant governor;

(2) \$5,000 a calendar year, if the candidate or individual is seeking the office of state senator;

(3) \$3,000 a calendar year, if the candidate or individual is seeking the office of state representative or municipal or other office.

(f) A group or political party may solicit or accept contributions from an individual who is not a resident of the state at the time the contribution is made, but the amounts accepted from individuals who are not residents may not exceed 10 percent of total contributions made to the group or political party during the calendar or group year in which the contributions are received.

(g) A candidate or an individual who has filed with the commission the document necessary to permit that individual to incur election-related expenses under AS 15.13.100 for election or reelection to the office of governor or lieutenant governor may not solicit or accept a contribution in the capital city while the legislature is convened in a regular or special legislative session.

(h) A nongroup entity may solicit or accept contributions for the purpose of influencing the nomination or election of a candidate from an individual who is not a resident of the state at the time the contribution is made or from an entity organized under the laws of another state, resident in another state, or whose participants are not residents of this state at the time the contribution is made. The amounts accepted by the nongroup entity from these individuals and entities for the purpose of influencing the nomination or election of a candidate may not exceed 10 percent of total contributions made to the nongroup entity for the purpose of influencing the nomination or election of a candidate during the calendar year in which the contributions are received.

#### **Sec. 15.13.074. Prohibited contributions.**

(a) A person, group, or nongroup entity may not make a contribution if the making of the contribution would violate this chapter.

(b) A person or group may not make a contribution anonymously, using a fictitious name, or using the name of another. Individuals, persons, nongroup entities, or groups subject to AS 15.13.040(r) may not contribute or accept \$2,000 or more of dark money as that term is defined in AS 15.13.400(5), and may not make a contribution while acting as an intermediary without disclosing the true source of the contribution as defined in AS 15.13.400(19).

(c) A person or group may not make a contribution

(1) to a candidate or an individual who files with the commission the document necessary to permit that individual to incur certain election-related expenses as authorized by AS 15.13.100 when the office is to be filled at a general election before the date that is 18 months before the general election;

(2) to a candidate or an individual who files with the commission the document necessary to permit that individual to incur certain election-related expenses as authorized by

AS 15.13.100 for an office that is to be filled at a special election or municipal election before the date that is 18 months before the date of the regular municipal election or that is before the date of the proclamation of the special election at which the candidate or individual seeks election to public office; or

(3) to any candidate later than the 45th day

(A) after the date of the primary or special primary election if the candidate was not chosen to appear on the general or special election ballot at the primary or special primary election; or

(B) after the date of the general or special election, or after the date of a municipal or municipal runoff election.

(d) A person or group may not make a contribution to a candidate or a person or group who is prohibited by [AS 15.13.072](#) (c) from accepting it.

(e) A person or group may not make a cash contribution that exceeds \$100.

(f) A corporation, company, partnership, firm, association, entity recognized as tax-exempt under 26 U.S.C. 501(c)(3) (Internal Revenue Code), organization, business trust or surety, labor union, or publicly funded entity that does not satisfy the definition of group or nongroup entity in [AS 15.13.400](#) may not make a contribution to a candidate, group, or nongroup entity.

(g) An individual required to register as a lobbyist under AS 24.45 may not make a contribution to a candidate for the legislature at any time the individual is subject to the registration requirement under AS 24.45 and for one year after the date of the individual's initial registration or its renewal. However, the individual may make a contribution under this section to a candidate for the legislature in a district in which the individual is eligible to vote or will be eligible to vote on the date of the election. An individual who is subject to the restrictions of this subsection shall report to the commission, on a form provided by the commission, each contribution made while required to register as a lobbyist under AS 24.45. Upon request of the commission, the information required under this subsection shall be submitted electronically. This subsection does not apply to a representational lobbyist as defined in regulations of the commission.

(h) Notwithstanding [AS 15.13.070](#), a candidate for governor or lieutenant governor and a group that is not a political party and that, under the definition of the term "group," is presumed to be controlled by a candidate for governor or lieutenant governor, may not make a contribution to a candidate for another office, to a person who conducts a write-in campaign as a candidate for other office, or to another group of amounts received by that candidate or controlled group as contributions between January 1 and the date of the general election of the year of a general election for an election for governor and lieutenant governor. This subsection does not prohibit

(1) the group described in this subsection from making contributions to the candidates for governor and lieutenant governor whom the group supports; or

(2) the governor or lieutenant governor, or the group described in this subsection, from making contributions under [AS 15.13.116 \(a\)\(2\)\(A\)](#).

(i) A nongroup entity may not solicit or accept a contribution to be used for the purpose of influencing the outcome of an election unless the potential contributor is notified that the contribution may be used for that purpose.

#### **Sec. 15.13.076. Authorized recipients of contributions.**

A contribution to a

(1) candidate may be received only by

(A) the candidate; or

(B) the candidate's campaign treasurer or a deputy campaign treasurer;

(2) group may be received only by the group's campaign treasurer or a deputy treasurer.

#### **Sec. 15.13.078. Contributions and loans from the candidate.**

(a) The provisions of this chapter do not prohibit the individual who is a candidate from giving any amount of the candidate's own money or other thing of value to the campaign of the candidate. Donations made by the candidate to the candidate's own campaign shall be reported as contributions in accordance with [AS 15.13.040](#) and 15.13.110.

(b) The provisions of this chapter do not prohibit the individual who is a candidate from lending any amount to the campaign of the candidate. Loans made by the candidate shall be reported as contributions in accordance with [AS 15.13.040](#) and 15.13.110. However, the candidate may not

(1) recover, under this section and [AS 15.13.116 \(a\)\(4\)](#), the amount of a loan made by the candidate to the candidate's own campaign that exceeds

(A) \$25,000, if the candidate ran for governor or lieutenant governor;

(B) \$10,000, if the candidate ran for

(i) the legislature; or

(ii) delegate to a constitutional convention;

(C) \$10,000, if the candidate was a judge seeking retention;

(D) \$5,000, if the candidate ran in a municipal election; or

(2) repay a loan that the candidate has made to the candidate's own campaign unless, within five days of making the loan, the candidate notifies the commission, on a form provided by the commission, of the candidate's intention to repay the loan under [AS 15.13.116 \(a\)\(4\)](#).

(c) On and after the date determined under AS 15.13.110 as the last day of the period ending three days before the due date of the report required to be filed under AS 15.13.110(a)(1) and until the date of the election for which the report is filed, a candidate

may not give or loan to the candidate's campaign the candidate's money or other thing of value of the candidate in an amount that exceeds \$5,000.

(d) The provisions of this section apply only to the individual who is a candidate, as that term is defined by AS 15.13.400(1)(A), and do not apply to authorize a contribution or loan under this section by an individual described in the definition of the term “candidate” under AS 15.13.400(1)(B).

*Sec. 15.13.080. Statement by or on behalf of contributor. [Repealed, Sec. 11 ch 1 TSSLA 2002].*

Repealed or Renumbered

**Sec. 15.13.082. Limitations on expenditures.**

(a) A candidate or group may not make an expenditure in cash that exceeds \$100 unless the candidate, or the campaign treasurer or deputy campaign treasurer, obtains a written receipt from the person to whom the expenditure is made.

(b) A person, other than an individual exempt from reporting under [AS 15.13.040](#) (h), may not make an expenditure unless the source of the expenditure has been disclosed as required by this chapter.

(c) If a candidate receives a contribution in the form of cash, check, money order, or other negotiable instrument and is subject to being reported to the commission under this chapter, the candidate may neither expend the contribution nor, in the case of a negotiable instrument, convert it to cash unless the candidate, campaign treasurer, or deputy campaign treasurer first records the following information for disclosure to the commission:

- (1) the name, address, principal occupation, and employer of the contributor; and
- (2) the date and amount of the contribution.

**Sec. 15.13.084. Prohibited expenditures.**

A person may not make an expenditure

(1) anonymously, unless the expenditure is

(A) paid for by an individual acting independently of any person;

(B) made to influence the outcome of a ballot proposition as that term is defined by [AS 15.13.065](#) (c); and

(C) made for

(i) a billboard or sign; or

(ii) printed material, other than an advertisement made in a newspaper or other periodical;

(2) using a fictitious name or using the name of another.

**Sec. 15.13.086. Authorized makers of expenditures.**

An expenditure

(1) authorized by or in behalf of a candidate may be made only by

(A) the candidate; or

(B) the candidate's campaign treasurer or a deputy campaign treasurer;

(2) authorized by AS 15.13.067 (3) by or in behalf of a group may be made only by the group's campaign treasurer.

**Sec. 15.13.090. Identification of communication.**

(a) All communications shall be clearly identified by the words "paid for by" followed by the name and address of the person paying for the communication. In addition, except as provided by (d) of this section, a person shall clearly

(1) provide the person's address or the person's principal place of business;

(2) for a person other than an individual or candidate, include

(A) the name and title of the person's principal officer;

(B) a statement from the principal officer approving the communication; and

(C) unless the person is a political party, identification of the name and city and state of residence or principal place of business, as applicable, of each of the person's three largest contributors under AS 15.13.040(e)(5), if any, during the 12-month period before the date of the communication.

(b) The provisions of (a) of this section do not apply when the communication

(1) is paid for by an individual acting independently of any other person;

(2) is made to influence the outcome of a ballot proposition as that term is defined by AS 15.13.065 (c); and

(3) is made for

(A) a billboard or sign; or

(B) printed material other than an advertisement made in a newspaper or other periodical.

(c) To satisfy the requirements of (a)(1) of this section and, if applicable, (a)(2)(C) of this section, a communication that includes a print or video component must have the following statement or statements placed in the communication so as to be easily discernible, and, in a broadcast, cable, satellite, Internet or other digital communication, the statement must remain onscreen throughout the entirety of the communication; the second statement is not required if the person paying for the communication has no contributors or is a political party:

This communication was paid for by (person's name and city and state of principal place of business).

The top contributors of (person's name) are (the name and city and state of residence or principal place of business, as applicable, of the largest contributors to the person under AS 15.13.090(a)(2)(C)).

(d) Notwithstanding the requirements of (a) of this section, in a communication transmitted through radio or other audio media and in a communication that includes an audio component, the following statements must be read in a manner that is easily heard; the second statement is not required if the person paying for the communication has no contributors or is a political party:

This communication was paid for by (person's name).

The top contributors of (person's name) are (the name of the largest contributors to the person under AS 15.13.090(a)(2)(C)).

(e) Contributors required to be identified under (a)(2)(C) of this section must be listed in order of the amount of their contributions. If more than three of the largest contributors to a person paying for a communication contribute equal amounts, the person may select which of the contributors of equal amounts to identify under (a)(2)(C) of this section. In no case shall a person be required to identify more than three contributors under (a)(2)(C) of this section.

(f) The provisions of this subsection apply to a person who makes an independent expenditure for a communication described in (a) of this section. If the person paying for the communication is not a natural person, the provisions also apply to the responsible officer or officers of the corporation, company, partnership, firm, association, organization, labor organization, business trust, or society who approve the independent expenditure for the communication. A person who makes a communication under this subsection may not, with actual malice, include within or as a part of the communication a false statement of material fact about a candidate for election to public office that constitutes defamation of the candidate. For purposes of this subsection, a statement constitutes defamation of the candidate if the statement

- (1) exposes the candidate to strong disapproval, contempt, ridicule, or reproach; or
- (2) tends to deprive the candidate of the benefit of public confidence.

(g) To satisfy the requirements of (a)(1) of this section and, if applicable, (a)(2)(C) of this section, a communication paid for by an outside-funded entity as that term is defined in AS 15.13.400(15) that includes a print or video component must have the following statement placed in the communication so as to be easily discernible, and, in a broadcast, cable, satellite, Internet or other digital communication, the statement must remain onscreen throughout the entirety of the communication; the statement is not required if the outside entity paying for the communication has no contributors or is a political party: “A MAJORITY OF CONTRIBUTIONS TO (OUTSIDE-FUNDED ENTITY'S NAME) CAME FROM OUTSIDE THE STATE OF ALASKA.”

### **Sec. 15.13.095. False statements in telephone polling and calls to convince.**

(a) A candidate who is damaged as the result of a false statement about the candidate made with knowledge that it was false, or with reckless disregard for whether it was false or not, made as part of a telephone poll or an organized series of calls, and made with the intent to convince potential voters concerning the outcome of an election in which the candidate is running may recover damages in an action in superior court under this section against the individual who made the telephone call, the individual's employer, and the person who contracted for or authorized the poll or calls to convince. However, the employer of the individual or the person who contracted for or authorized the poll or calls to convince is liable to the defamed candidate only if the employer or person authorized the statement to be made, knowing that it was false or with reckless disregard for whether it was false or not, as part of the poll or calls to convince.

(b) The court may award damages, including punitive damages. If the court finds that the result of the statement places the integrity of the election process in substantial doubt, the eligibility of the successful candidate to hold the office to which elected shall be determined as provided in [AS 15.56.110](#)(b) or, in the case of a candidate for governor or lieutenant governor, by impeachment under art. II, sec. 20, Constitution of the State of Alaska.

### **Sec. 15.13.100. Expenditures before filing.**

A political campaign expenditure may not be made or incurred by a person in an election or by a person or group with the person's knowledge and on the person's behalf before the date upon which the person files for nomination for the office which the person seeks, except for personal travel expenses or for opinion surveys or polls. These expenditures must be included in the first report required under this chapter after filing for office.

### **Sec. 15.13.110. Filing of reports.**

(a) Each candidate, group, and nongroup entity shall make a full report in accordance with [AS 15.13.040](#) for the period ending three days before the due date of the report and beginning on the last day covered by the most recent previous report. If the report is a first report, it must cover the period from the beginning of the campaign to the date three days before the due date of the report. If the report is a report due February 15, it must cover the period beginning on the last day covered by the most recent previous report or on the day that the campaign started, whichever is later, and ending on February 1 of that year. The report shall be filed

(1) 30 days before the election; however, this report is not required if the deadline for filing a nominating petition or declaration of candidacy is within 30 days of the election;

(2) one week before the election;

(3) 105 days after a special election; and

(4) February 15 for expenditures made and contributions received that were not reported previously, including, if applicable, all amounts expended from a public office expense term

account established under AS 15.13.116(a)(8) and all amounts expended from a municipal office account under AS 15.13.116(a)(9), or when expenditures were not made or contributions were not received during the previous year.

(b) Each contribution that exceeds \$250 and that is made within nine days of the election shall be reported to the commission by date, amount, and contributor within 24 hours of receipt by the candidate, group, campaign treasurer, or deputy campaign treasurer. Each contribution to a nongroup entity for the purpose of influencing the outcome of an election that exceeds \$250 and that is made within nine days of the election shall be reported to the commission by date, amount, and contributor within 24 hours of receipt by the nongroup entity.

(c) All reports required by this chapter shall be filed with the commission's central office and shall be kept open to public inspection. The commission shall keep a report filed on paper under AS 15.13.040(m) open to public inspection by scanning the report and posting a copy of the scanned image on the commission's Internet website within two working days after the report is filed. The commission shall prepare a summary of each report, which shall be made available to the public at cost upon request. Each summary must use uniform categories of reporting. Summaries for reports filed

(1) electronically shall be made available within 30 days after the report is filed; and

(2) on paper shall be made available within 30 days after each election.

(d) *[Repealed, Sec. 35 ch 126 SLA 1994].*

(e) A group formed to sponsor a referendum or a recall shall report 30 days after its first filing with the lieutenant governor. Thereafter, each group shall report within 10 days after the end of each calendar quarter on the contributions received and expenditures made during the preceding calendar quarter until reports are due under (a) of this section.

(f) During the year in which the election is scheduled, each of the following shall file the campaign disclosure reports in the manner and at the times required by this section:

(1) a person who, under the regulations adopted by the commission to implement AS 15.13.100, indicates an intention to become a candidate for elective state executive or legislative office;

(2) a person who campaigns as a write-in candidate for elective state executive or legislative office at the general election; and

(3) a group or nongroup entity that receives contributions or makes expenditures on behalf of or in opposition to a person described in (1) or (2) of this subsection, except as provided for certain independent expenditures by nongroup entities in AS 15.13.135(a).

(g) An initiative committee, person, group, or nongroup entity receiving contributions exceeding \$500 or making expenditures exceeding \$500 in a calendar year in support of or in opposition to an initiative on the ballot in a statewide election or an initiative proposal application filed with the lieutenant governor under AS 15.45.020 shall file a report within 10 days after the end of each calendar quarter on the contributions received and expenditures

made during the preceding calendar quarter until reports are due under (a) and (b) of this section. If the report is a first report, it must cover the period beginning on the day an initiative proposal application is filed under AS 15.45.020 and ending three days before the due date of the report.

(h) An independent expenditure report required under AS 15.13.040(e) shall be filed with the commission not later than 10 days after an independent expenditure has been made. However, an independent expenditure that exceeds \$250 and that is made within nine days of an election shall be reported to the commission not later than 24 hours after the expenditure is made.

(i) During a campaign period, the commission may not change the manner or format in which reports required of a candidate under this chapter must be filed. In this subsection, "campaign period" means the period beginning on the date that a candidate becomes eligible to receive campaign contributions under this chapter and ending on the date that a final report for that same campaign must be filed.

(j) Before the primary election, a candidate seeking nomination by petition under AS 15.25.140 - 15.25.200 for the office of governor, lieutenant governor, state senator, or state representative shall file the reports under (a)(1) and (2) of this section.

(k) Once contributions from an individual, person, nongroup entity, or group to an entity that made one or more independent expenditures in one or more candidate elections in the previous election cycle, that is making one or more independent expenditures in one or more candidate elections in the current election cycle, or that the contributor knows or has reason to know is likely to make independent expenditures in one or more candidate elections in the current election cycle exceed \$2,000 in a single year, that entity shall report that contribution, and all subsequent contributions, not later than 24 hours after receipt. For purposes of this subsection, the entity is required to certify and report the true source, and all intermediaries, if any, of the contribution as defined by AS 15.13.400(18).

### **Sec. 15.13.111. Preservation of records.**

(a) Each person required to report under this chapter shall preserve all records necessary to substantiate information required to be reported under this chapter for a period of six years from the date of the election for which the information was required to be reported, unless the records have been submitted to the commission under (c) of this section.

(b) Information preserved under (a) of this section must be made available for inspection by the commission.

(c) A candidate for state elected office who was not elected or a person who has left state elected office may submit the records required to be preserved under (a) of this section to the commission electronically. Records submitted under this subsection shall be preserved by the commission for a period of six years from the date of the election for which the information was required to be reported.

**Sec. 15.13.112. Uses of campaign contributions held by candidate or group.**

(a) Except as otherwise provided, campaign contributions held by a candidate or group may be used only to pay the expenses of the candidate or group, and the campaign expenses incurred by the candidate or group, that reasonably relate to election campaign activities, and in those cases only as authorized by this chapter.

(b) Campaign contributions held by a candidate or group may not be

(1) used to give a personal benefit to the candidate or to another person;

(2) converted to personal income of the candidate;

(3) loaned to a person;

(4) knowingly used to pay more than the fair market value for goods or services purchased for the campaign;

(5) used to pay a criminal fine;

(6) used to pay civil penalties; however, campaign contributions held by a candidate or group may be used to pay a civil penalty assessed under this chapter if authorized by the commission or a court after it first determines that

(A) the candidate, campaign treasurer, and deputy campaign treasurer did not cause or participate in the violation for which the civil penalty is imposed and exercised a reasonable level of oversight over the campaign; and

(B) the candidate, campaign treasurer, and deputy campaign treasurer cooperated in the revelation of the violation and in its immediate correction; or

(7) used to make contributions to another candidate or to a group; however, it is not a violation of this paragraph if, in circumstances in which a candidate or group participates in a shared campaign activity, the candidate or group participating in the activity

(A) uses campaign contributions of the candidate or group for payment of

(i) all of the shared campaign activity expense; or

(ii) more than the candidate's or group's pro rata share of the activity expense; and

(B) receives, within seven days after payment of the expense, complete reimbursement of the amount of campaign contributions used for payments made on behalf of another candidate or group participating in the activity.

(c) A candidate may use up to a total of \$1,000 in campaign contributions in a year to pay the cost of

(1) attending, or paying the cost for guests of the candidate to attend, an event or other function sponsored by a political party or subordinate unit of a political party;

(2) membership in a political party, subordinate unit of a political party, or other entity within a political party, or subscription to a publication from a political party; and

(3) co-sponsorship of an event or other function sponsored by a political party or by a subordinate unit of a political party.

**Sec. 15.13.114. Disposition of prohibited contributions.**

(a) A candidate, group, or nongroup entity that receives and accepts a contribution given in violation of AS 15.13.072 or 15.13.074 shall immediately, upon discovery that the contribution is prohibited, return it to the contributor. A candidate, group, or nongroup entity that receives and accepts a contribution in excess of the limitation on contributions set out in AS 15.13.070 shall immediately, upon discovery of the prohibited excess contribution, return the excess to the contributor. If the contribution or excess amount cannot be returned in the same form, the equivalent value of the contribution or excess amount shall be returned.

(b) An anonymous contribution is forfeited to the state unless the contributor is identified within five days of its receipt. Money that forfeits to the state under this subsection shall be delivered immediately to the Department of Revenue for deposit in the general fund.

**Sec. 15.13.116. Disbursement of campaign assets after election.**

(a) A candidate who, after the date of the general, special, municipal, or municipal runoff election or after the date the candidate withdraws as a candidate, whichever comes first, holds unused campaign contributions shall distribute the amount held on February 1 for a general election or within 90 days after a special election. The distribution may only be made to

(1) pay bills incurred for expenditures reasonably related to the campaign and the winding up of the affairs of the campaign, including a victory or thank you party, thank you advertisements, and thank you gifts to campaign employees and volunteers, and to pay expenditures associated with post-election fund raising that may be needed to raise funds to pay off campaign debts;

(2) make donations, without condition, to

(A) a political party;

(B) the state's general fund;

(C) a municipality of the state; or

(D) the federal government;

(3) make donations, without condition, to organizations qualified as charitable organizations under 26 U.S.C. 501(c)(3) if the organization is not controlled by the candidate or a member of the candidate's immediate family;

(4) repay loans from the candidate to the candidate's own campaign under AS 15.13.078(b);

(5) repay contributions to contributors, but only if repayment of the contribution is made pro rata in approximate proportion to the contributions made using one of the following, as the candidate determines:

- (A) to all contributors;
- (B) to contributors who have contributed most recently; or
- (C) to contributors who have made larger contributions;

(6) establish a fund for, and from that fund to pay, attorney fees or costs incurred in the prosecution or defense of an administrative or civil judicial action that directly concerns a challenge to the victory or defeat of the candidate in the election;

(7) transfer all or a portion of the unused campaign contributions to an account for a future election campaign; a transfer under this paragraph is limited to

- (A) \$50,000, if the transfer is made by a candidate for governor or lieutenant governor;
  - (B) \$10,000, if the transfer is made by a candidate for the state senate;
  - (C) \$5,000, if the transfer is made by a candidate for the state house of representatives;
- and

(D) \$5,000, if the transfer is made by a candidate for an office not described in (A) - (C) of this paragraph;

(8) transfer all or a portion of the unused campaign contributions to a public office expense term account; a transfer under this paragraph is subject to the following:

(A) the authority to transfer is limited to candidates who are elected to the state legislature;

(B) the public office expense term account established under this paragraph may be used only for expenses associated with the candidate's serving as a member of the legislature;

(C) all amounts expended from the public office expense term account shall be annually accounted for under AS 15.13.110(a)(4);

(D) a transfer under this paragraph is limited to \$5,000 multiplied by the number of years in the term to which the candidate is elected plus any accumulated interest; and

(E) unused campaign contributions transferred under this paragraph must be disposed of as provided in (2), (3), or (5) of this subsection at the end of the term of office immediately following the campaign for which the contributions were received; and

(9) transfer all or a portion of the unused campaign contributions to a municipal office account; a transfer under this paragraph is subject to the following:

(A) the authority to transfer is limited to candidates who are elected to municipal office, including a municipal school board;

(B) the municipal office account established under this paragraph may be used only for expenses associated with the candidate's serving as mayor or as a member of the assembly, city council, or school board;

(C) all amounts expended from the municipal office account shall be annually accounted for under AS 15.13.110 (a)(4);

(D) a transfer under this paragraph is limited to \$5,000; and

(E) unused campaign contributions transferred under this paragraph must be disposed of as provided in (2), (3), or (5) of this subsection at the end of the term of office immediately following the campaign for which the contributions were received.

(b) After a general, special, municipal, or municipal runoff election, a candidate may retain the ownership of one computer and one printer and of personal property, except money, that was acquired by and for use in the campaign. The current fair market value of the property retained, exclusive of the computer and printer, may not exceed \$5,000. All other property shall be disposed of, or sold and the sale proceeds disposed of, in accordance with (a) or (c) of this section. Notwithstanding any other provision of this chapter,

(1) a candidate may (A) retain a bulk mailing permit that was paid for with campaign funds, and (B) use personal funds, campaign funds, or unused campaign contributions transferred to a public office expense term account under (a)(8) of this section to pay the continuing charges for the permit after the election; money used to continue the life of the permit is not considered to be a contribution under this chapter; in addition to any other use permitted under this chapter, during the candidate's term of office, the candidate may use the bulk mailing permit for mailings associated with service in the office to which the candidate was elected; during the candidate's term of office, if the candidate files a declaration of candidacy or the document necessary to permit the candidate to incur election-related expenses under AS 15.13.100 for the same or a different elective office, the candidate may also use the bulk mailing permit in that election campaign;

(2) a candidate may retain campaign photographs and use the photographs for any purpose associated with service in the office to which the candidate was elected;

(3) a candidate may retain seasonal greeting cards purchased with campaign funds; and

(4) campaign signs prepared for an election that has already taken place have no monetary value and may be retained or disposed of at the candidate's discretion.

(c) Property remaining after disbursements are made under (a) - (b) of this section is forfeited to the state. Within 30 days, the candidate shall deliver the property to the Department of Revenue. The Department of Revenue shall deposit any money received into the general fund and dispose of any other property in accordance with law.

(d) *[Repealed, Sec. 4 ch 44 SLA 2012].*

*Sec. 15.13.120. [Renumbered as AS 15.13.380].*

Repealed or Renumbered

*Sec. 15.13.122. [Renumbered as [AS 15.13.385](#)].*

Repealed or Renumbered

*Sec. 15.13.125. [Renumbered as [AS 15.13.390](#)].*

Repealed or Renumbered

*Sec. 15.13.130. Definitions. [Repealed, Sec. 28 ch 48 SLA 1996].*

Repealed or Renumbered

**Sec. 15.13.135. Independent expenditures for or against candidates.**

(a) An independent expenditure supporting or opposing a candidate for election to public office, except an independent expenditure made by a nongroup entity with an annual operating budget of \$250 or less, shall be reported in accordance with [AS 15.13.040](#) and 15.13.100 - 15.13.110 and other requirements of this chapter.

(b) A person who makes independent expenditures for a mass mailing, for distribution of campaign literature of any sort, for a television, radio, newspaper, or magazine advertisement, or any other communication that supports or opposes a candidate for election to public office

(1) shall comply with [AS 15.13.090](#); and

(2) shall place the following statement in the mailing, literature, advertisement, or other communication so that it is readily and easily discernible:

This NOTICE TO VOTERS is required by Alaska law. (I/we) certify that this (mailing/literature/advertisement) is not authorized, paid for, or approved by the candidate.

**Sec. 15.13.140. Independent expenditures for or against ballot proposition or question.**

(a) *[Repealed, Sec. 19 ch 36 SLA 2010].*

(b) An independent expenditure for or against a ballot proposition or question

(1) shall be reported in accordance with [AS 15.13.040](#) and 15.13.100 - 15.13.110 and other requirements of this chapter; and

(2) may not be made if the expenditure is prohibited by [AS 15.13.145](#).

**Sec. 15.13.145. Money of the state and its political subdivisions.**

(a) Except as provided in (b) and (c) of this section, each of the following may not use money held by the entity to influence the outcome of the election of a candidate to a state or municipal office:

(1) the state, its agencies, and its corporations;

(2) the University of Alaska and its Board of Regents;

(3) municipalities, school districts, and regional educational attendance areas, or another political subdivision of the state; and

(4) an officer or employee of an entity identified in (1) - (3) of this subsection.

(b) Money held by an entity identified in (a)(1) - (3) of this section may be used to influence the outcome of an election concerning a ballot proposition or question, but only if the funds have been specifically appropriated for that purpose by a state law or a municipal ordinance.

(c) Money held by an entity identified in (a)(1) - (3) of this section may be used

(1) to disseminate information about the time and place of an election and to hold an election;

(2) to provide the public with nonpartisan information about a ballot proposition or question or about all the candidates seeking election to a particular public office.

(d) When expenditure of money is authorized by (b) or (c) of this section and is used to influence the outcome of an election, the expenditures shall be reported to the commission in the same manner as an individual is required to report under [AS 15.13.040](#).

#### **Sec. 15.13.150. Election educational activities not prohibited.**

This chapter does not prohibit a person from engaging in educational election-related communications and activities, including

(1) the publication of the date and location of an election;

(2) the education of students about voting and elections;

(3) the sponsorship of candidate debate forums open to the public;

(4) participation in get-out-the-vote or voter registration drives that do not favor a particular candidate, political party, or political position;

(5) the dissemination of the views of all candidates running for a particular office.

#### **Sec. 15.13.155. Restrictions on earned income and honoraria.**

(a) A candidate for the state legislature, for governor, or for lieutenant governor, including an individual campaigning as a write-in candidate for the office, may not

(1) seek or accept compensation for personal services that involves payments that are not commensurate with the services rendered taking into account the higher rates generally charged by specialists in a profession; or

(2) accept a payment of anything of value, except for actual and necessarily incurred travel expenses, for an appearance or speech; this paragraph does not apply to the salary paid to the candidate for making an appearance or speech as part of the candidate's normal course of employment.

(b) Notwithstanding (a) of this section, a candidate for the state legislature, for governor, or for lieutenant governor, including an individual campaigning as a write-in candidate for the office, may accept a payment for an appearance or speech if the appearance or speech is not connected with the individual's status as a state official or as a candidate.

**Sec. 15.13.374. Advisory opinion.**

(a) Any person may request an advisory opinion from the commission concerning this chapter, AS 24.45, AS 24.60.200 - 24.60.260, or AS 39.50.

(b) A request for an advisory opinion

(1) must be in writing or contained in a message submitted by electronic mail;

(2) must describe a specific transaction or activity that the requesting person is presently engaged in or intends to undertake in the future;

(3) must include a description of all relevant facts, including the identity of the person requesting the advisory opinion; and

(4) may not concern a hypothetical situation or the activity of a third party.

(c) Within seven days after receiving a request satisfying the requirements of (b) of this section, the executive director of the commission shall recommend a draft advisory opinion for the commission to consider at its next meeting.

(d) The approval of a draft advisory opinion requires the affirmative vote of four members of the commission. A draft advisory opinion failing to receive four affirmative votes of the members of the commission is disapproved.

(e) A complaint under AS 15.13.380 may not be considered about a person involved in a transaction or activity that

(1) was described in an advisory opinion approved under (d) of this section;

(2) is indistinguishable from the description of an activity that was approved in an advisory opinion approved under (d) of this section; or

(3) was undertaken after the executive director of the commission recommended a draft advisory opinion under (c) of this section and before the commission acted on the draft advisory opinion under (d) of this section, if

(A) the draft advisory opinion would have approved the transaction or activity described; and

(B) the commission disapproved the draft advisory opinion.

(f) Advisory opinion requests and advisory opinions are public records subject to inspection and copying under AS 40.25.100 — 40.25.295, except that, if a person requesting an advisory opinion requests that the person's name be kept confidential, the person's name shall be kept confidential and the commission shall redact the name of the requester from the request and from the advisory opinion before making the request and opinion public.

**Sec. 15.13.380. Violations; limitations on actions.**

(a) Promptly after the final date for filing statements and reports under this chapter, the commission shall notify all persons who have become delinquent in filing them, including contributors who failed to file a statement in accordance with [AS 15.13.040](#), and shall make available a list of those delinquent filers for public inspection. The commission shall also report to the attorney general the names of all candidates in an election whose campaign treasurers have failed to file the reports required by this chapter.

(b) A person who believes a violation of this chapter or a regulation adopted under this chapter has occurred or is occurring may file an administrative complaint with the commission within five years after the date of the alleged violation. If a member of the commission has filed the complaint, that member may not participate as a commissioner in any proceeding of the commission with respect to the complaint. The commission may consider a complaint on an expedited basis or a regular basis.

(c) The complainant or the respondent to the complaint may request in writing that the commission expedite consideration of the complaint. A request for expedited consideration must be accompanied by evidence to support expedited consideration and be served on the opposing party. The commission shall grant or deny the request within two days after receiving it. In deciding whether to expedite consideration, the commission shall consider such factors as whether the alleged violation, if not immediately restrained, could materially affect the outcome of an election or other impending event; whether the alleged violation could cause irreparable harm that penalties could not adequately remedy; and whether there is reasonable cause to believe that a violation has occurred or will occur. Notwithstanding the absence of a request to expedite consideration, the commission may independently expedite consideration of the complaint if the commission finds that the standards for expedited consideration set out in this subsection have been met.

(d) If the commission expedites consideration, the commission shall hold a hearing on the complaint within two days after granting expedited consideration. Not later than one day after affording the respondent notice and an opportunity to be heard, the commission shall

(1) enter an emergency order requiring the violation to be ceased or to be remedied and assess civil penalties under [AS 15.13.390](#) if the commission finds that the respondent has engaged in or is about to engage in an act or practice that constitutes or will constitute a violation of this chapter or a regulation adopted under this chapter;

(2) enter an emergency order dismissing the complaint if the commission finds that the respondent has not or is not about to engage in an act or practice that constitutes or will constitute a violation of this chapter or a regulation adopted under this chapter; or

(3) remand the complaint to the executive director of the commission for consideration by the commission on a regular rather than an expedited basis.

(e) If the commission accepts the complaint for consideration on a regular rather than an expedited basis, the commission shall notify the respondent within seven days after receiving the complaint and shall investigate the complaint. The respondent may answer the complaint

by filing a written response with the commission within 15 days after the commission notifies the respondent of the complaint. The commission may grant the respondent additional time to respond to the complaint only for good cause. The commission shall hold a hearing on the complaint not later than 45 days after the respondent's written response is due. Not later than 10 days after the hearing, the commission shall issue its order. If the commission finds that the respondent has engaged in or is about to engage in an act or practice that constitutes or will constitute a violation of this chapter or a regulation adopted under this chapter, the commission shall enter an order requiring the violation to be ceased or to be remedied and shall assess civil penalties under [AS 15.13.390](#).

(f) If the complaint involves a challenge to the constitutionality of a statute or regulation, necessary witnesses that are not subject to the commission's subpoena authority, or other issues outside the commission's authority, the commission may request the attorney general to file a complaint in superior court alleging a violation of this chapter. The commission may request the attorney general to file a complaint in superior court to remedy the violation of a commission order.

(g) A commission order under (d) or (e) of this section may be appealed to the superior court by either the complainant or respondent within 30 days in accordance with the Alaska Rules of Appellate Procedure.

(h) If the commission does not complete action on an administrative complaint within 90 days after the complaint was filed, the complainant may file a complaint in superior court alleging a violation of this chapter by a respondent as described in the administrative complaint filed with the commission. The complainant shall provide copies of the complaint filed in the superior court to the commission and the attorney general. This subsection does not create a private cause of action against the commission; against the commission's members, officers, or employees; or against the state.

(i) If a person who was a successful candidate or the campaign treasurer or deputy campaign treasurer of a person who was a successful candidate is convicted of a violation of this chapter, after the candidate is sworn into office, proceedings shall be held and appropriate action taken in accordance with

(1) art. II, sec. 12, Constitution of the State of Alaska, if the successful candidate is a member of the state legislature;

(2) art. II, sec. 20, Constitution of the State of Alaska, if the successful candidate is governor or lieutenant governor;

(3) the provisions of the call for the constitutional convention, if the successful candidate is a constitutional convention delegate;

(4) art. IV, sec. 10, Constitution of the State of Alaska, if the successful candidate is a judge.

(j) Information developed by the commission under (b) - (e) of this section shall be considered during a proceeding under (i) of this section.

(k) If, after a successful candidate is sworn into office, the successful candidate or the campaign treasurer or deputy campaign treasurer of the person who was a successful candidate is charged with a violation of this chapter, the case shall be promptly tried and accorded a preferred position for purposes of argument and decision so as to ensure a speedy disposition of the matter.

#### **Sec. 15.13.385. Legal counsel.**

(a) The attorney general is legal counsel for the commission. The attorney general shall advise the commission in legal matters arising in the discharge of its duties and represent the commission in actions to which it is a party. If, in the opinion of the commission, the public interest warrants, the commission may request the chief justice of the supreme court to appoint a special prosecutor to represent the commission in a proceeding involving an alleged violation of this chapter and to prosecute that violation.

(b) When the public interest warrants, the commission may employ temporary legal counsel from time to time in matters in which the commission is involved.

#### **Sec. 15.13.390. Civil penalty; late filing of required reports.**

(a) A person who

(1) fails to register when required by AS 15.13.050(a) or who fails to file a properly completed and certified report within the time required by AS 15.13.040, 15.13.060(b) — (d), 15.13.110(a)(1), (3), or (4), (e), or (f) is subject to a civil penalty of not more than \$50 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court. A person who fails to file a properly completed and certified report within the time required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty of not more than \$500 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court;

(2) whether as a contributor or intermediary, delays in reporting a contribution as required by AS 15.13.040(r) is subject to a civil penalty of not more than \$1,000 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court;

(3) whether as a contributor or intermediary, misreports or fails to disclose the true source of a contribution in violation of AS 15.13.040(r) or 15.13.074(b) is subject to a civil penalty of not more than the amount of the contribution that is the subject of the misreporting or failure to disclose; upon a showing that the violation was intentional, a civil penalty of not more than three times the amount of the contribution in violation may be imposed; these penalties as determined by the commission are subject to right of appeal to the superior court;

(4) violates a provision of this chapter, except as otherwise specified in this section, is subject to a civil penalty of not more than \$50 a day for each day the violation continues as determined by the commission, subject to right of appeal to the superior court; and

(5) is assessed a civil penalty may submit to the commission an affidavit stating facts in mitigation; however, the imposition of the penalties prescribed in this section or in AS 15.13.380 does not excuse that person from registering or filing reports required by this chapter.

(b) When an administrative complaint has been filed under AS 15.13.380, the commission shall give the respondent due notice and an opportunity to be heard. If, at the conclusion of the hearing, the commission determines that the respondent engaged in the alleged violation, the commission shall assess

- (1) civil penalties under (a) of this section;
- (2) the commission's costs of investigation and adjudication; and
- (3) reasonable attorney fees.

(c) The commission's determination under (b) of this section may be appealed to the superior court under AS 44.62 (Administrative Procedure Act).

(d) When an action has been filed in the superior court under AS 15.13.380, upon proof of the violation, the court shall enter a judgment in the amount of the civil penalty authorized to be collected by (a) of this section.

(e) If the commission or superior court finds that the violation was not a repeat violation or was not part of a series or pattern of violations, was inadvertent, was quickly corrected, and had no adverse effect on the campaign of another, the commission or the court may

- (1) suspend imposition of the penalties; and
- (2) order the penalties set aside if the person does not engage in a similar violation for a period of one year.

(f) A party who has filed a civil action under [AS 15.13.380](#)

- (1) is not entitled to trial by jury on the civil action;
- (2) is not entitled to be represented by legal counsel at public expense.

#### **Sec. 15.13.400. Definitions.**

In this chapter,

(1) "candidate"

(A) means an individual who files for election to the state legislature, for governor, for lieutenant governor, for municipal office, for retention in judicial office, or for constitutional convention delegate, or who campaigns as a write-in candidate for any of these offices; and

(B) when used in a provision of this chapter that limits or prohibits the donation, solicitation, or acceptance of campaign contributions, or limits or prohibits an expenditure, includes

- (i) a candidate's campaign treasurer and a deputy campaign treasurer;

(ii) a member of the candidate's immediate family;

(iii) a person acting as agent for the candidate;

(iv) the candidate's campaign committee; and

(v) a group that makes expenditures or receives contributions with the authorization or consent, express or implied, or under the control, direct or indirect, of the candidate;

(2) "commission" means the Alaska Public Offices Commission;

(3) "communication" means an announcement or advertisement disseminated through print or broadcast media, including radio, television, cable, and satellite, the Internet, or through a mass mailing, excluding those placed by an individual or nongroup entity and costing \$500 or less and those that do not directly or indirectly identify a candidate or proposition, as that term is defined in AS 15.13.065(c);

(4) "contribution"

(A) means a purchase, payment, promise or obligation to pay, loan or loan guarantee, deposit or gift of money, goods, or services for which charge is ordinarily made, and includes the payment by a person other than a candidate or political party, or compensation for the personal services of another person, that is rendered to the candidate or political party, and that is made for the purpose of

(i) influencing the nomination or election of a candidate;

(ii) influencing a ballot proposition or question; or

(iii) supporting or opposing an initiative proposal application filed with the lieutenant governor under [AS 15.45.020](#) ;

(B) does not include

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a political party, candidate, or ballot proposition or question;

(ii) ordinary hospitality in a home;

(iii) two or fewer mass mailings before each election by each political party describing members of the party running as candidates for public office in that election, which may include photographs, biographies, and information about the candidates;

(iv) the results of a poll limited to issues and not mentioning any candidate, unless the poll was requested by or designed primarily to benefit the candidate;

(v) any communication in the form of a newsletter from a legislator to the legislator's constituents, except a communication expressly advocating the election or defeat of a candidate or a newsletter or material in a newsletter that is clearly only for the private benefit of a legislator or a legislative employee;

(vi) a fundraising list provided without compensation by one candidate or political party to a candidate or political party; or

(vii) an opportunity to participate in a candidate forum provided to a candidate without compensation to the candidate by another person and for which a candidate is not ordinarily charged;

(5) “dark money” means a contribution whose source or sources, whether from wages, investment income, inheritance, or revenue generated from selling goods or services, is not disclosed to the public; notwithstanding the foregoing, to the extent a membership organization receives dues or contributions of less than \$2,000 per person per year, the organization itself shall be considered the true source;

(6) "electioneering communication" means a communication that

(A) directly or indirectly identifies a candidate;

(B) addresses an issue of national, state, or local political importance and attributes a position on that issue to the candidate identified; and

(C) occurs within the 30 days preceding a general or municipal election;

(7) "expenditure"

(A) means a purchase or a transfer of money or anything of value, or promise or agreement to purchase or transfer money or anything of value, incurred or made for the purpose of

(i) influencing the nomination or election of a candidate or of any individual who files for nomination at a later date and becomes a candidate;

(ii) use by a political party;

(iii) the payment by a person other than a candidate or political party of compensation for the personal services of another person that are rendered to a candidate or political party;

(iv) influencing the outcome of a ballot proposition or question; or

(v) supporting or opposing an initiative proposal application filed with the lieutenant governor under [AS 15.45.020](#);

(B) does not include a candidate's filing fee or the cost of preparing reports and statements required by this chapter;

(C) includes an express communication and an electioneering communication, but does not include an issues communication;

(8) "express communication" means a communication that, when read as a whole and with limited reference to outside events, is susceptible of no other reasonable interpretation but as an exhortation to vote for or against a specific candidate;

(9) "group" means

(A) every state and regional executive committee of a political party;

(B) any combination of two or more individuals acting jointly who organize for the principal purpose of influencing the outcome of one or more elections and who take action the major purpose of which is to influence the outcome of an election; a group that makes

expenditures or receives contributions with the authorization or consent, express or implied, or under the control, direct or indirect, of a candidate shall be considered to be controlled by that candidate; a group whose major purpose is to further the nomination, election, or candidacy of only one individual, or intends to expend more than 50 percent of its money on a single candidate, shall be considered to be controlled by that candidate and its actions done with the candidate's knowledge and consent unless, within 10 days from the date the candidate learns of the existence of the group the candidate files with the commission, on a form provided by the commission, an affidavit that the group is operating without the candidate's control; a group organized for more than one year preceding an election and endorsing candidates for more than one office or more than one political party is presumed not to be controlled by a candidate; however, a group that contributes more than 50 percent of its money to or on behalf of one candidate shall be considered to support only one candidate for purposes of AS 15.13.070, whether or not control of the group has been disclaimed by the candidate; and

(C) any combination of two or more individuals acting jointly who organize for the principal purpose of filing an initiative proposal application under AS 15.45.020 or who file an initiative proposal application under AS 15.45.020;

(10) "immediate family" means the spouse, parents, children, including a stepchild and an adoptive child, and siblings of an individual;

(11) "independent expenditure" means an expenditure that is made without the direct or indirect consultation or cooperation with, or at the suggestion or the request of, or with the prior consent of, a candidate, a candidate's campaign treasurer or deputy campaign treasurer, or another person acting as a principal or agent of the candidate;

(12) "individual" means a natural person;

(13) "issues communication" means a communication that

(A) directly or indirectly identifies a candidate; and

(B) addresses an issue of national, state, or local political importance and does not support or oppose a candidate for election to public office;

(14) "nongroup entity" means a person, other than an individual, that takes action the major purpose of which is to influence the outcome of an election, and that

(A) cannot participate in business activities;

(B) does not have shareholders who have a claim on corporate earnings; and

(C) is independent from the influence of business corporations.

(15) "outside-funded entity" means an entity that makes one or more independent expenditures in one or more candidate elections and that, during the previous 12-month period, received more than 50 percent of its aggregate contributions from true sources, or their equivalents, who, at the time of the contribution, resided or had their principal place of business outside Alaska;

(16) "person" has the meaning given in AS 01.10.060, and includes a labor union, nongroup entity, and a group;

(17) "political party" means any group that is a political party under AS 15.80.010 and any subordinate unit of that group if, consistent with the rules or bylaws of the political party, the unit conducts or supports campaign operations in a municipality, neighborhood, house district, or precinct;

(18) "publicly funded entity" means a person, other than an individual, that receives half or more of the money on which it operates during a calendar year from government, including a public corporation.

(19) "true source" means the person or legal entity whose contribution is funded from wages, investment income, inheritance, or revenue generated from selling goods or services; a person or legal entity who derived funds via contributions, donations, dues, or gifts is not the true source, but rather an intermediary for the true source; notwithstanding the foregoing, to the extent a membership organization receives dues or contributions of less than \$2,000 per person per year, the organization itself shall be considered the true source.

Article 1

**CAMPAIGN DISCLOSURE**

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2 AAC 50.405. Definitions

## **2 AAC 50.250. Contributions**

(a) A person receiving a contribution shall report as required in the applicable provisions of AS 15.13.040 and 2 AAC 50.321.

(b) If a person that is not prohibited from contributing to a campaign under AS 15.13.074 makes a non-monetary contribution, the amount to be reported under 2 AAC 50.250 - 2 AAC 50.405 is,

(1) for goods or services for which a contributor usually charges,

(A) the normal market charge for an item or service provided without charge;

(B) the difference between the normal market charge and the amount charged for an item or service provided at less than the normal market charge; except as provided in (c) of this section, a reduction in a business's charge for goods and services is a contribution prohibited by AS 15.13.074 (f) unless the same reduction in the business's charges is available to all campaigns;

(2) for goods or products provided to a campaign as a result of the services of an individual who volunteers a portion or all of that individual's time without compensation, the cost of any material or supplies used in producing the goods, but not the value of equipment that the volunteer owns personally and uses in the course of the volunteered services;

(3) for a travel-related service or accommodation provided to a campaign,

(A) if the contributor pays another person for the travel-related service or accommodation, the actual cost of the travel-related service or accommodation; or

(B) if the contributor does not pay another person for the travel-related service or accommodation,

(i) the commercial rate for a comparable travel-related service or accommodation including, for air travel, an unrestricted, non-discounted first-class fare, or if first-class commercial travel is unavailable, an unrestricted, non-discounted coach-class fare, or if commercial travel to the particular destination is unavailable, a charter rate for a comparable aircraft; or

(ii) the value of the contributed travel-related service or accommodation based on any other commercially reasonable method of determining the cost;

(4) for a bulk mailing permit donated or loaned to a campaign,

(A) the value of the permit; or

(B) the actual savings to the campaign computed on the basis of the normal postage rate minus the bulk mailing rate for each mailed item.

(c) A contribution from a sole proprietorship is not prohibited under AS 15.13.074 (f), but must be

(1) identified as a contribution by the owner of the sole proprietorship; and

(2) included in the amount of the individual's contributions limited by AS 15.13.070 .

(d) Notwithstanding (b)(1) of this section, services are not a contribution if an individual who volunteers the individual's own time without compensation provides those services to a political party, a candidate, or a group organized for the principal purpose of influencing the outcome of a ballot proposition election or for the principal purpose of filing an initiative proposal application.

(e) Except as provided in 2 AAC 50.254(c) , a loan or loan guarantee is a contribution from a lender, co-signer, or guarantor at the time it is made and may not exceed the contribution limitations of AS 15.13.070 , whether or not it is repaid. If a loan is guaranteed by more than one person, each co-signer or guarantor is considered to have contributed any portion of the total amount that the co-signer or guarantor agreed to guarantee in an oral or written agreement. If no oral or written agreement is made, each co-signer or guarantor is considered to have contributed a share equal to the total of the loan divided by the number of co-signers or guarantors.

(f) Credit extended to a candidate, group, or nongroup entity for a length of time beyond normal business practice is a contribution by the person extending the credit, unless the creditor makes a commercially reasonable attempt to collect the debt using the methods and persistence that the creditor ordinarily uses in a collection effort for a debt unrelated to a campaign.

(g) A contribution to a subordinate unit of a political party is a contribution to the political party.

**History: Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200**

**Authority: AS 15.13.030; AS 15.13.040; AS 15.13.070; AS 15.13.078; AS 15.13.400**

**2 AAC 50.254. Personal contributions by a candidate**

(a) A candidate may make unlimited personal contributions from assets to which the candidate has title or a right of access or control under the laws of this state. In this section, assets include

(1) salary and other earned income from bona fide employment;

(2) dividends;

(3) proceeds from the sale of an investment;

(4) a bequest to the candidate;

(5) income from any trust established before the individual becomes a candidate;

(6) income from any trust established by bequest after the individual becomes a candidate; and

(7) any gift the candidate receives that follows a pattern of gifts regularly received before becoming a candidate.

(b) A candidate may use the candidate's share of a jointly owned asset as a personal contribution. A candidate's share of a jointly owned asset is the portion the candidate owns under the instrument

of conveyance or ownership. If the instrument of conveyance or ownership does not apportion the ownership shares, the candidate may use as a personal contribution

- (1) for an asset jointly owned with a spouse or domestic partner, one-half of the asset; or
- (2) for an asset jointly owned with a person that is not a spouse or domestic partner, or with more than one other person,
  - (A) the pro rata share corresponding to the purchase price paid by the candidate; or
  - (B) if the owners did not purchase the asset,
    - (i) the present value of the portion owned by the candidate, as documented in writing; or
    - (ii) if no document specifying the candidate's ownership share exists, the present value of the asset divided by the number of owners.
- (c) Money loaned to a candidate by a regulated banking institution is a personal asset of the candidate, and must be reported as a candidate's personal contribution if
  - (1) the loan is made in compliance with applicable banking laws and regulations;
  - (2) bears an interest rate that is usual and customary at the time the loan is made;
  - (3) is evidenced by a written instrument;
  - (4) is required to be repaid on a specified date or amortization schedule; and
  - (5) is not co-signed or guaranteed by a person other than the candidate.
- (d) The proceeds from an unconditional sale of a candidate's real or personal property are personal assets of the candidate and not a contribution from the purchaser if the sale is a legitimate arm's length transaction documented in writing. A candidate must report sale proceeds used in a campaign as a personal contribution.

**History:** Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.040; AS 15.13.070; AS 15.13.078; AS 15.13.400

## **2 AAC 50.258. Prohibited contributions**

(a) A contribution must be made in the name of the true source of the money or thing of value. A person may not make a contribution using the name of another, or use a third-party conduit to obscure the true source of any money or thing of value contributed to a campaign. A contribution in the name of another prohibited by this section includes any contribution

(1) made at the direction of another person, including a parent organization, subsidiary, division, department, branch, or local unit of a business, labor union, or group;

(2) made by an employee, agent, or other person if an employer, principal, supervisor, or contractor lends, pays, or advances money or anything of value to the employee, agent, or other person to contribute in a name other than the true source of the money or thing of value;

(3) made by an employee, agent, or other person if an employer, principal, supervisor, or contractor reimburses the employee, agent, or other person for the contribution in money or anything of value;

(4) in a total amount exceeding the limitations in AS 15.13.070 if made to the same recipient by two or more groups or nongroup entities that

(A) share the majority of members of their boards of directors;

(B) share two or more corporate or organizational officers; in this subparagraph, "officer"

(i) has the meaning given in AS 15.13.040 (r)(2); and

(ii) includes a chief executive officer;

(C) are owned or controlled by the same shareholders or members; or

(D) are in a parent-subsidiary relationship;

(5) made by a person who receives a gift of money or anything of value from a parent, spouse, or domestic partner for the purpose of making a contribution;

(6) made by check from a joint bank account in the name of any joint account holder who does not either sign the check or authorize the contribution in writing at the time the contribution is made; or

(7) made with funds derived from contributions, donations, gifts, or dues whose source is not disclosed to the public at the time the contribution is made.

(b) A candidate may not accept a contribution from a group that is resident in another state. A group is resident in another state if

(1) the group does not have a mailing address in this state;

(2) the group receives more than 10 percent of its total contributions during a calendar year from individuals who are not residents of this state; or

(3) individuals who are not residents of this state direct or control decisions about how the group spends its money.

**History: Eff. 1/1/2001, Register 156; am 1/7/2001, Register 157; am 2/20/2005, Register 173; am 12/22/2011, Register 243; am 9/25/2022, Register 243**

**Authority: AS 15.13.030; AS 15.13.040; AS 15.13.070; AS 15.13.072; AS 15.13.074; AS 15.13.400**

## **2 AAC 50.266. Disposition of prohibited contributions**

(a) A campaign treasurer shall use best efforts to determine if a contribution is prohibited. If the treasurer determines that a contribution is prohibited, the treasurer shall return it to the contributor immediately, but no later than 10 days after receipt. If the treasurer is unable to identify the contributor within 10 days, the contribution is anonymous and must be immediately delivered to the Department of Revenue, or to the commission for delivery to the Department of Revenue. In the next campaign disclosure report of the candidate, group, or nongroup entity, the treasurer shall report the receipt of a contribution that is prohibited or of questionable legality, and shall report the final disposition of the contribution.

(b) Repealed 12/22/2011.

**History:** Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.060; AS 15.13.070; AS 15.13.072; AS 15.13.074; AS 15.13.114

## **2 AAC 50.270. Independent expenditures**

(a) Except as provided in (c) of this section, before making an independent expenditure to support or oppose a candidate, a ballot proposition, or an initiative proposal application, a person shall register as required under AS 15.13.050 on a form prescribed by the commission, and shall establish a political activities account as required under AS 15.13.052. The frequency and amount of an allowable independent expenditure is not limited.

(b) Except as provided in (c) of this section, a person that makes an independent expenditure for any purpose shall file, as required under AS 15.13.110 (h), a report of independent expenditure, on a form prescribed by the commission. An independent expenditure report must include

(1) the information required by AS 15.13.040 (d) and (e);

(2) for a person other than an individual making an independent expenditure, the type of business or organization;

(3) the full name of a contact person for the individual or other person making the expenditure;

(4) the date of the expenditure;

(5) the amount of the expenditure;

(6) the check number or the identifying transaction number if paid by other means;

(7) the name and address of the payee; and

(8) a description of items or services purchased.

(c) An individual who makes an independent expenditure that does not exceed \$500 in a calendar year for billboards, signs, or printed materials concerning a ballot proposition or initiative proposal

application, is not required to register or file a statement of independent expenditure. If an individual's independent expenditures for billboards, signs, or printed materials concerning a ballot proposition or initiative proposal application exceed \$500 in a calendar year, the individual shall file a statement of independent expenditure no later than 10 days after the amount expended exceeds \$500.

(d) A person required to report under AS 15.13.110(k) shall disclose contributions received from a single source that exceed \$2,000, in the aggregate, and all subsequent contributions from that same source not later than 24 hours after receipt. The report must include a certification that all true sources and intermediaries have been disclosed and the following information:

(1) the date of each contribution;

(2) the amount of each contribution;

(3) the full name of the contributor;

(4) a description of item or services contributed, if necessary; and

(5) the full name of all intermediaries, if any, within the meaning of “true source” under AS 15.13.400.

(e) A person required to report under AS 15.13.110(k) is not required to report donations that are not intended to influence the outcome of an election if the person

(1) establishes a political activities account as required by AS 15.13.052;

(2) makes no expenditures intended to influence the outcome of an election regulated under AS 15.13 from its general fund;

(3) establishes a written policy that all contributions to the person’s political activities account must be from a contributor who has expressly indicated a desire that the contribution be used for political activities or has been expressly solicited for the purpose of making a contribution to the person’s political activities account; and

(4) establishes a written policy that the contributor is the only person to decide whether a contribution goes to the person’s general fund or the person’s political activities account.

(f) During the nine days before an election, a person required to file reports within 24 hours under AS 15.13.110(h) and (k), may satisfy both requirements by filing a report under (d) of this section.

(g) A contributor contributing more than \$2,000, in the aggregate, to a person described in (d) of this section shall file a statement of contributions in compliance with [AS 15.13.040\(r\)](#), on a form prescribed by the commission. The statement of contributions must be filed not later than 24 hours after the contributor's total contributions to the person exceed \$2,000. A contributor making a contribution to a person described in (d) of this section shall make the contribution in the name of the true source of the money or thing of value.

**History: Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200; am 9/25/2022, Register 243**

**Authority:** AS 15.13.030; AS 15.13.040; AS 15.13.050; AS 15.13.052; AS 15.13.082; AS 15.13.090; AS 15.13.135

**2 AAC 50.272. Conducting raffle or lottery and use of proceeds**

(a) A person authorized by a charitable gaming permit issued under AS 05.15.100 to conduct a raffle or lottery for the purposes provided in AS 05.15.150 (a)(3) shall comply with this section. A permittee that conducts a raffle or lottery for the purposes allowed under AS 05.15.150 (a)(3) and contributes the net proceeds as required under AS 05.15.150 (a), is organized and taking action for the principal purpose of influencing an election within the meaning of AS 15.13.400 (8)(B) and (13), and is subject to AS 15.13.067 and the applicable contribution limits of AS 15.13.070 (c), (d), and (f). A raffle or lottery may not be conducted in a manner that allows a person to avoid the provisions of AS 15.13.070, 15.13.074, or 2 AAC 50.258 in giving or receiving any contribution.

(b) A permittee may solicit and accept a contribution, including a prize, printing or advertising service, use of a room or space for an event associated with the raffle or lottery, or other donation of an item or service used to promote or conduct the raffle or lottery. A permittee may not accept a contribution

(1) that is anonymous or that is made using a fictitious name or the name of another; or

(2) from a person prohibited from making a contribution under AS 15.13.074 (f) or (g).

(c) A permittee shall provide advance notice to each contributor and to each purchaser of a raffle or lottery ticket that the proceeds of the raffle or lottery are intended for political purposes under AS 05.15.150 (a)(3). A raffle or lottery ticket sold for the purposes allowed by AS 05.15.150 (a)(3) must disclose the name of a candidate, group, political party, organization affiliated with a political party, or political group as defined in AS 15.80.010, that the permittee intends to aid by the use of the proceeds. The permittee must retain records of any purchase of a raffle or lottery ticket in a total amount greater than \$50. An individual, group, or nongroup entity may not purchase raffle or lottery tickets exceeding the amount that an individual, group, or nongroup entity is allowed to contribute to a candidate under AS 15.13.070, and may not purchase raffle or lottery tickets if prohibited by AS 15.13.074 (f) from making a contribution.

(d) A charitable gaming permittee may use the net proceeds of a raffle or lottery to make

(1) contributions to a candidate, a political party or a subordinate unit of a political party, a group, or a political group as defined in AS 15.80.010; however, a contribution by a charitable gaming permittee may not exceed the applicable contribution limits of AS 15.13.070; or

(2) an independent expenditure for the purposes permitted in AS 05.15.150 (a)(3); an expenditure is a contribution, and not an independent expenditure if made in cooperation or consultation with a candidate or any agent of a candidate, group, or nongroup entity.

(e) A charitable gaming permittee shall report

(1) any expense incurred or paid to conduct a raffle or lottery to raise money to be used for the purposes permitted in AS 05.15.150 (a)(3) as a contribution or an independent expenditure;

(2) each contribution the permittee receives as required in AS 15.13.040 (b), (j), or (l); the report must include the information required by AS 15.13.040 (e)(5) for

(A) any contribution the permittee receives in accordance with (b) of this section; or

(B) any purchaser of raffle or lottery tickets in excess of \$50;

(3) each independent expenditure made to conduct a raffle or lottery, or for a purpose permitted in AS 05.15.150 (a)(3), as required under AS 15.13.040 (d) and (e) and 2 AAC 50.270;

(4) each contribution made to a candidate for public office or to a group organized for the principal purpose of influencing the outcome of an election or a proposition, or for the principal purpose of filing an initiative proposal application.

(f) In this section,

(1) "charitable gaming permittee" or "permittee" means a person that has obtained a permit from the Department of Revenue under AS 05.15.100 giving the person the privilege of conducting a raffle or lottery;

(2) "raffle" or "lottery" has the meaning given in AS 05.15.690 .

**History: Eff. 12/22/2011, Register 200**

**Authority:** AS 15.13.030; AS 15.13.040; AS 15.13.050; AS 15.13.067; AS 15.13.069; AS 15.13.070; AS 15.13.074

**2 AAC 50.274. Early campaigning**

(a) An individual intending to campaign for office shall file for nomination for the office as required under AS 15.13.100 either by submitting a letter of intent to the commission, or by filing a declaration of candidacy

(1) with the municipal clerk's office for a municipal office, or

(2) with the lieutenant governor's office for a state office.

(b) An individual intending to seek state or municipal office may file a letter of intent, in the format prescribed by the commission, no earlier than 18 months before the general election when the office is to be filled at a general election or 18 months before the date of the election when the office is to be filled at a special election or municipal election. A letter of intent must state whether the individual will seek state or municipal office, but need not identify the specific seat for which the individual may file. A letter of intent must include a statement certifying that the individual will comply with the requirements of AS 15.13. A letter of intent is valid until the election identified on that filing, unless the individual filing the letter of intent withdraws it before the election.

(c) An individual may not accept a campaign contribution before filing a letter of intent or declaration of candidacy, and may not make a campaign expenditure except for personal travel expenses, opinion surveys, or polls. A person, group, or nongroup entity may not make an expenditure on behalf of an individual who is a prospective candidate before that individual files a letter of intent.

(d) An individual who has submitted a letter of intent must also file a declaration of candidacy as provided in (a) of this section before the applicable state or municipal filing deadline.

**History:** Eff. 1/1/2001, Register 156; am 12/22/2011, Register 200; am 1/16/2015, Register 213

**Authority:** AS 15.13.030; AS 15.13.070; AS 15.13.074; AS 15.13.100; AS 15.13.400

### **2 AAC 50.282. Candidate registration**

A candidate shall register in the format prescribed by the commission no later than 15 days after filing a declaration of candidacy for a state office or no later than seven days after filing a declaration of candidacy for a municipal office. A separate registration is required for each elective state or municipal office for which an individual files a declaration of candidacy. A candidate's registration must list

- (1) the name of the candidate and the candidate's campaign committee;
- (2) the address, telephone number, facsimile number, and electronic mail address of the candidate's campaign committee;
- (3) the name, address, and contact information for the campaign officers, including a chairperson and a treasurer;
- (4) the name and address of each deputy treasurer;
- (5) the name and address of the regulated banking institution that will serve as the campaign account depository; and
- (6) the candidate's certification that the information contained in the registration statement is true, complete, and correct.

**History:** Eff. 1/1/2001, Register 156; am 12/22/2011, Register 200; am 1/16/2015, Register 213

**Authority:** AS 15.13.010; AS 15.13.030; AS 15.13.060; AS 15.13.076; AS 15.13.086

### **2 AAC 50.286. Candidate exemptions**

(a) A candidate for municipal office who does not intend to receive contributions exceeding \$5,000, or make expenditures exceeding \$5,000, may file an exemption statement in a format prescribed by the commission instead of the candidate registration form required under 2 AAC 50.282. A candidate who files an exemption statement is not required to file a campaign disclosure report required under AS 15.13.110 and 2 AAC 50.321, but shall comply with all other requirements of AS 15.13, including

- (1) limitations on who may contribute;
- (2) amount and timing of contributions; and
- (3) use of campaign money.

(b) If a candidate who has filed an exemption statement accepts more than \$5,000 in contributions or spends more than \$5,000 to influence the outcome of the election, the candidate loses the reporting exemption under this section. A candidate whose exemption is lost shall immediately register as a candidate and shall file each campaign disclosure report due after the change in status. The candidate's first campaign disclosure report must include each contribution and expenditure from the beginning of the campaign through the end of that reporting period.

**History:** Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200; am 1/16/2015, Register 213

**Authority:** AS 15.13.030; AS 15.13.040; AS 15.13.070; AS 15.13.074; AS 15.13.082; AS 15.13.084; AS 15.13.086; AS 15.13.112

## **2 AAC 50.290. Groups; draft groups; controlled groups; ballot groups**

(a) If a group, including a political party and an initiative committee, raises, solicits, collects, contributes, disburses, or incurs indebtedness of \$500 or more in money or anything of value in the aggregate during a calendar year, or directs, coordinates, or controls that activity, that group shall first register with the commission as provided in AS 15.13.050, and shall file reports as provided in AS 15.13.040 (b) and (c) and 2 AAC 50.321. An ongoing group must register each year. To register, a group must disclose, in the format prescribed by the commission,

- (1) the group's name, address, and purpose;
- (2) the name and address of a chair and a treasurer; the same person may serve as both chair and treasurer;
- (3) any election in which the group intends to be active during the year;
- (4) the type of group;
- (5) the name and location of the group's campaign depository if one is required under 2 AAC 50.298; and
- (6) the treasurer's certification that the information contained in the registration statement is true, complete, and correct.

(b) A draft group must register and file reports as required in (a) of this section. A draft group

- (1) may make expenditures to
  - (A) solicit contributions to defray its own administrative costs; and
  - (B) attempt to draft individuals to become candidates, including the expenditure of money to
    - (i) extol the qualifications of an individual the group seeks to draft; and

(ii) inform the public of the group's position on issues and the qualifications it seeks in potential candidates;

(2) may not

(A) engage in any political activity other than an activity described in this subsection and (d) of this section;

(B) accept any contribution in excess of \$500 from any individual or \$1,000 from any group;

(C) make an expenditure, other than for personal travel expenses, opinion surveys, or polls, that might benefit an individual successfully drafted to become a candidate;

(D) except as provided in (c) of this section, make monetary or nonmonetary contributions to, or expend funds on behalf of, any individual who has publicly announced an intent to seek a state or municipal office, or who has filed a declaration of candidacy or nominating petition, or has become a candidate by any other means.

(c) A draft group that expends more than one-third of its funds in an effort to draft one individual or, in the case of gubernatorial and lieutenant gubernatorial candidates, a team of individuals to campaign for public office, is a controlled group. If the individual or team subject to the draft formally declares for public office, any contribution to the controlled group is a contribution to the candidate or team for the purpose of determining the maximum allowable contribution under AS 15.13.070 . A controlled group may contribute up to the maximum allowed by law to the candidate or team of candidates.

(d) For a group organized for the principal purpose of filing an initiative proposal application under AS 15.45.020 , or that has filed an initiative proposal application under AS 15.45.020 , the obligation to file required reports begins on the date the initiative proposal application is filed with the lieutenant governor.

(e) A registered group shall supplement its report if any of the information required to be reported in (b) of this section changes. In assessing a civil penalty for a late or incomplete report, the commission may consider a registered group's failure to notify the commission of any material change in the information required to be reported in (b) of this section.

**History:** Eff. 1/1/2001, Register 156; am 12/22/2011, Register 200; am 1/16/2015, Register 213

**Authority:** AS 15.13.010; AS 15.13.030; AS 15.13.040; AS 15.13.050; AS 15.13.070; AS 15.13.074; AS 15.13.076; AS 15.13.100; AS 15.13.135; AS 15.13.140; AS 15.13.400

## **2 AAC 50.292. Nongroup entities**

(a) Before making a contribution or an independent expenditure, a person seeking the status of a nongroup entity shall apply to register as a nongroup entity by submitting the following information and documentation on the nongroup entity registration form prescribed by the commission:

(1) the person's name, address, and purpose;

(2) the name and address of a chair and a treasurer; the same individual may serve as both chair and treasurer;

(3) each election in which the person intends to be active as a nongroup entity during the year;

(4) if the person seeking the status of a nongroup entity is a corporation,

(A) a copy of a determination from the United States Internal Revenue Service that the corporation is a social welfare organization as described in 26 U.S.C. 501(c)(4);

(B) a copy of the certificate of incorporation issued under AS 10.20.156 or under a substantially similar statute of another state;

(C) a copy of the corporation's articles of incorporation and bylaws;

(D) an affidavit from a director or officer showing that the corporation's purposes include one or more of the following:

(i) issue advocacy;

(ii) influencing elections;

(iii) research, training, or educational activities tied to the corporation's political goals; and

(E) an affidavit from a director or officer showing that the corporation does not include shareholders or persons other than employees who

(i) have an equitable interest in the corporation or are affiliated in a way that would allow them to make a claim on the organization's assets or earnings; or

(ii) receive a benefit that they would lose if they ended their affiliation with the corporation or that they could not obtain unless they became affiliated; for the purposes of this subparagraph, "benefit" includes a credit card, an insurance policy, a savings plan, and education or business information;

(5) if the person seeking the status of a nongroup entity is not a corporation, a copy of the bylaws or minutes or an affidavit signed by an owner, officer, chair, director, partner, or board member showing that the person seeking the status of a nongroup entity does not participate in business activities, has no shareholders, and is independent from the influence of business corporations;

(6) the name and location of the group's campaign depository if one is required under 2 AAC 50.298; and

(7) the treasurer's certification that the information contained in the registration statement is true, complete, and correct.

(b) If, after reviewing the documentation a person seeking the status of a nongroup entity submits under (a) of this section, the commission staff finds that the documentation is complete, the staff shall prepare a recommendation to the commission as provided in 2 AAC 50.826. If the staff finds

that the documentation is incomplete or inadequate, the staff may request and review additional information.

(c) The commission will consider the staff recommendation and make a determination as provided in 2 AAC 50.826. The commission's determination is a final order for the purpose of an appeal to the superior court under AS 44.62.560.

(d) Any contribution that a nongroup entity receives for the purpose of making contributions or expenditures to influence an election must be kept in a separate account and reported to the commission as provided in 2 AAC 50.321.

**History:** Eff. 2/20/2005, Register 173; am 12/22/2011, Register 200

**Authority:** AS 15.13.010; AS 15.13.030; AS 15.13.040; AS 15.13.074; AS 15.13.135; AS 15.13.400

### **2 AAC 50.298. Designated campaign depository**

(a) Each candidate, group, or nongroup entity that intends to raise or spend more than \$5,000 in a calendar year, and each group or nongroup entity that intends to be active in more than one election, shall on a registration statement, designate one or more regulated banking institutions as a campaign depository. A candidate, group, or nongroup entity shall identify each account in the campaign depository with a name indicating that it is a campaign account.

(b) Except when a candidate uses personal money or credit for an authorized campaign expenditure, a candidate, group, or nongroup entity that is required to designate a campaign depository shall deposit any monetary contribution to that campaign depository and shall make any expenditure from that depository.

(c) A candidate, group, or nongroup entity required to designate a campaign depository may obtain and use credit cards to make campaign expenditures for transportation, lodging, meals, and other expenses in connection with traveling for campaign purposes. The credit card must have an account name indicating that the account is a campaign account.

**History:** Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.050; AS 15.13.067; AS 15.13.070

### **2 AAC 50.300. Individuals who accept contributions**

A candidate or treasurer may authorize an individual who is not registered as a deputy treasurer to receive campaign contributions on behalf of a candidate, group, or nongroup entity at any single event during the campaign. No later than 72 hours after the event, the authorized individual must deliver each contribution received to a candidate, treasurer, or deputy treasurer of the committee, group, or nongroup entity for which the contribution was intended.

**History:** Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.060; AS 15.13.076; AS 15.13.400

## **2 AAC 50.302. Candidate campaign subcommittee**

A candidate's campaign committee, or a controlled group as provided in 2 AAC 50.290(c), may create a subcommittee. A subcommittee is not a separate group and may not maintain separate bank accounts and records or file separate reports. The name of a subcommittee must include the name of the candidate or controlled group. The name of the subcommittee may not be used when identifying political advertising as required under AS 15.13.090 and 2 AAC 50.306.

**History:** Eff. 1/1/2001, Register 156; am 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.090

**Publisher's note:** As of Register 213 (April 2015), the section heading was revised.

## **2 AAC 50.306. Identification of political communication**

(a) Except for an individual exempt under AS 15.13.090 (b), a person that pays for a political communication, including a person that makes an independent expenditure, shall ensure that

(1) in any communication that includes a print or video component, the information required under AS 15.13.090 (a), (c) and (g) is visible, separate from the text of the communication, and of sufficient size to be read by a viewer;

(2) in any communication that includes a video component, the information required under AS 15.13.090(a), (c), and (g)

(A) is placed in the communication;

(B) is of sufficient size to be read by a viewer; and

(C) remains onscreen for the duration of the communication; and

(3) in any communication by radio, automated telephone, or other audio media, or that includes an audio component, the information required under AS 15.13.090 (a) and (d) is spoken and audible at the same volume as the communication.

(b) In a written communication, standard English abbreviations may be used in the information required by AS 15.13.090 (a) and (c).

(c) The information required under AS 15.13.090 (a) and (c) need not be affixed to an object used for a political communication if the size or nature of the object makes it impractical to affix that information. Objects for which it is impractical to affix that information include pencils, pens, buttons, or other objects that are smaller than 3.5 inches by 5 inches in size but do not include media advertisements, electronic correspondence, or material on an Internet website. The cost of any object used for a political communication must be reported under AS 15.13 even if the information required under AS 15.13.090 (a) and (c) is not affixed.

(d) A political communication by electronic media, including a candidate's or group's website, electronic mail, electronic social media, or other electronic methods capable of transmitting a

political communication, must include or be electronically linked to information required by AS 15.13.090 (a) and (c). The cost of political communications by electronic media must be reported as a campaign expense under 2 AAC 50.321.

(e) In this section, "political communication"

(1) has the meaning given "communication" in AS 15.13.400 ;

(2) includes

(A) all material related to campaign fundraisers, campaign letterhead, thank-you notes, and press releases;

(B) media advertisements, electronic correspondence, or material on an Internet website, regardless of size or nature;

(C) except as provided under (3)(B) of this subsection, campaign signs larger than 3.5 inches by 5 inches;

(3) does not include

(A) envelopes paid for by the campaign that are used solely to convey the campaign's communications;

(B) signs created by an individual or nongroup entity for a total cost of less than \$500;

(C) T-shirts, ballcaps, and similar items of personal apparel of minimal value;

(D) berry buckets, coffee cups, water bottles, and similar objects having a principal purpose not related to campaigns or elections.

**History:** Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200; am 9/25/2022, Register 243

**Authority:** AS 15.13.030; AS 15.13.090; AS 15.13.400

## **2 AAC 50.320. Recordkeeping requirements**

(a) A person required to report contributions or expenditures under AS 15.13 shall maintain detailed records of all contributions received and expenditures made for the length of time required under AS 15.13.111 . The records must include

(1) each contribution of any amount or value, including any loan, unless otherwise exempted by this chapter; and

(2) a cumulative total of all contributions made by each contributor.

(b) If an expenditure required to be reported under (a) of this section is made to an advertising agency or to an individual or business that provides campaign consultation or management

services, the records must document all services rendered, including the name of each business from which campaign goods or services were purchased or subcontracted or media advertising placed, and the amount of the expenditure.

**History:** Eff. 5/14/80, Register 74; am 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.040; AS 15.13.045; AS 15.13.111

**2 AAC 50.321. Reporting by a candidate, group, or nongroup entity**

(a) A candidate shall file each report required under AS 15.13.110 containing the information required under AS 15.13.040 (a) and the following information:

(1) for any monetary contribution, the check number or the identifying transaction number if paid by other means;

(2) for any nonmonetary contribution with a value greater than \$100, a description of the contribution and the estimated fair market value;

(3) for each loan or loan guarantee,

(A) the date received;

(B) the name and address of the lender and any loan guarantor or cosigner;

(C) the principal occupation and employer of the lender, loan guarantor, or cosigner;

(D) the interest rate; and

(E) the principal amount of the loan;

(4) for each contribution from the candidate to the campaign, and for income earned from contributions, including bank interest and income from unused contributions invested in compliance with 2 AAC 50.348,

(A) the date received;

(B) a description of the income;

(C) the name and address of the source of the income; and

(D) the amount or estimated value of the contribution or income;

(5) for each paid expenditure,

(A) the date of payment;

(B) the check number or the identifying transaction number if paid by other means;

(C) the name and address of the payee;

(D) the purpose of the expenditure; and

(E) the amount of the expenditure; and

(6) under the debt section of the report, for each expenditure incurred but not paid,

(A) the date the expenditure was incurred;

(B) the name and address of the person with whom the debt was incurred;

(C) the purpose of the incurred expenditure; and

(D) the amount of the incurred expenditure.

(b) A group shall file each report required by AS 15.13.110 containing the information required in AS 15.13.040 (b) and (c) and the following information:

(1) for income earned from contributions, including bank interest and income from unused contributions invested in compliance with 2 AAC50.348, the information required in (a)(4)(A) - (D) of this section; and

(2) for each expenditure, the information required in (a)(5) and (6) of this section.

(c) A nongroup entity shall file each report required by AS 15.13.110 containing the information required in AS 15.13.040 (j), the treasurer's certification required under AS 15.13.040 (c) and the information required under (b)(1) and (2) of this section.

(d) If an expenditure required to be reported under (a) or (b) or this section is made to an advertising agency or to an individual or business that provides campaign consultation or management services, the report must disclose in detail all services rendered, including the name of each business from which campaign goods or services were purchased or subcontracted or media advertising placed, and the amount of the expenditure.

(e) For any contribution, the date received is the day on which the contribution is first in the possession of a candidate, or in the possession of a treasurer or deputy treasurer of a candidate, group, or nongroup entity;

(f) A candidate, group, or nongroup entity that does not receive any contribution and does not make any expenditure in a reporting period may file a zero report for that period by filing the campaign disclosure report with the "no activity" box checked.

(g) A candidate, group, or nongroup entity shall amend a report filed as required under AS 15.13.110 if the value of any transaction in the report is incorrect or subsequently becomes incorrect, even if the value was accurate at the time of initial filing, if the change in value of any transaction is greater than or equal to \$100. The treasurer shall amend the report not later than 10 days after the date the correct value is known, or if within nine days of an election, not later than 24 hours.

(h) In the nine days preceding an election, contributions in excess of \$250 in the aggregate from a single source shall be reported to the commission not later than 24 hours after receipt, as required under [AS 15.13.110](#)(b), and must disclose the contributor, aggregate amount, an date received.

**History:** Eff. 7/22/78, Register 67; am 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200; am 1/16/2015, Register 213; am 9/25/2022, Register 243

**Authority:** [AS 15.13.030](#); [AS 15.13.040](#); [AS 15.13.110](#); [AS 15.13.112](#); [AS 15.13.400](#)

## **2 AAC 50.324. Shared campaign activities**

(a) This section applies to a candidate, a group, and a nongroup entity except

(1) a political party; and

(2) the candidates for governor and lieutenant governor running jointly under [AS 15.25.030](#)(a)(16) and (17) and appearing on the ballot as a single paired unit.

(b) A candidate, group, or nongroup entity may share in a campaign effort with another candidate, group, or nongroup entity. If the costs and receipts from a shared effort are allocated equally to each participant in a shared campaign effort, there is no contribution from one participant to another. Each candidate, group, and nongroup entity shall keep separate campaign records documenting costs and receipts of a shared campaign effort.

(c) If an expenditure for a shared campaign effort is not allocated equally to each participant, a proportionate share of any expenditure that benefits a candidate, group, or nongroup entity other than the candidate, group, or nongroup entity paying for the effort is a contribution by

(1) the paying candidate to the other candidate;

(2) the paying group to the other group; or

(3) the paying nongroup entity to the other nongroup entity.

(d) An expenditure made by a group on behalf of another group that is controlled by a candidate is a contribution, and may not exceed \$1,000 as provided in [AS 15.13.070](#) .

(e) For any shared campaign effort with a combined cost exceeding \$1,000, including the cost of fundraising activities and campaign media consulting services, each candidate, group, or nongroup entity subject to this section shall report the candidate's, group's, or nongroup entity's share of the receipts and expenditures on a shared campaign activities form prescribed by the commission. A candidate, group, or nongroup entity may not file a joint report with another candidate, group, or nongroup entity.

(f) Media communications about a shared campaign activity must include the words "paid for by" and the name of each candidate, group, or nongroup entity sharing in the cost of the communications, but need not list the address of each participating candidate, group, or nongroup entity. However, if one participant pays the full cost of a communication, then the communication must comply with [AS 15.13.090](#) (a) and [2 AAC50.306](#).

**History:** Eff. 7/22/78, Register 67; am 5/14/80, Register 74; am 6/29/84, Register 90; am 8/22/97, Register 143; am 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200; am 9/25/2022, Register 243

**Authority:** [AS 15.13.030](#); [AS 15.13.040](#); [AS 15.13.070](#); [AS 15.13.090](#); [AS 15.13.112](#)

## **2 AAC 50.327. Additional reporting by political party**

In addition to reporting each contribution and expenditure as required under 2 AAC 50.321(b) , a political party shall report, in compliance with AS 15.13.040 and 15.13.110, all other income and expenses. Information required to be reported under this section includes

(1) any other donation of any kind, including a purchase, payment, promise or obligation to pay, loan or loan guarantee, deposit or gift of money, goods or services other than volunteer services provided by an individual, that the political party receives from any person and that would not be required to be reported as a contribution as defined in AS 15.13.400 ; and

(2) each expense incurred, including money spent on a communication not otherwise required to be reported as an expenditure as defined in AS 15.13.400 .

**History:** Eff. 12/20/2002, Register 164; am 12/22/2011, Register 200

**Authority:** AS 15.13.010; AS 15.13.030; AS 15.13.040; AS 15.13.110; AS 15.13.400

## **2 AAC 50.328. Reporting exempt fundraising activities**

(a) A candidate or treasurer shall report a fundraising activity that meets the criteria of AS 15.13.040 (l) and this section by filing the exempt fundraiser form prescribed by the commission. An event is an exempt fundraiser if

(1) for a fundraiser similar in nature to a spaghetti feed, dance, or concert, more than 25 participants pay to attend, and the amount received from any one person does not exceed \$50;

(2) for a fundraiser similar in nature to a raffle, lottery, or drawing, 25 or more tickets are sold, and the amount received from any one person buying tickets or chances does not exceed \$50;

(3) for a fundraiser at which income is produced by selling campaign material such as T-shirts or hats, the price of a single item does not exceed \$10, and the amount received from any one person purchasing items does not exceed \$50;

(4) for a fundraiser similar in nature to a garage sale or an auction, the fair market value of each item donated for sale or auction does not exceed \$50, and the amount received from any person purchasing items at the event does not exceed \$50.

(b) For each exempt fundraiser, the candidate or treasurer shall report the information required in AS 15.13.040 (l), and

(1) the date and location of the fundraising activity;

(2) the price of a single ticket or campaign item sold;

(3) the total number of tickets or items sold;

(4) the number of paying participants whose names were recorded;

- (5) the number of paying participants whose names were not recorded;
  - (6) the total costs and receipts of the fundraising activity; and
  - (7) the total income for this reporting period received from participants whose names were not recorded.
- (c) If a person contributes more than \$50 at an otherwise exempt fundraiser, the contribution must be reported as set out in 2 AAC 50.321.

**History:** Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.040

**2 AAC 50.329. Reporting contributions from ongoing payroll deduction or dues programs**

A group or nongroup entity shall report each contribution from each contributor in an ongoing payroll deduction program or other automatic payment plan in each reporting period for each contributor by providing the

- (1) name and address of the contributor;
- (2) repealed 1/16/2015;
- (3) repealed 1/16/2015;
- (4) principal occupation and employer of the contributor, unless the cumulative amount received from that contributor in a calendar year is \$100 or less; and
- (5) amount and frequency of each deduction or payment.

**History:** Eff. 2/20/2005, Register 173; am 12/22/2011, Register 200; am 1/16/2015, Register 213

**Authority:** AS 15.13.030; AS 15.13.040; AS 15.13.110

**2 AAC 50.344. Reporting by persons outside the state**

A person residing outside the state is subject to the same reporting requirements, restrictions, and responsibilities under AS 15.13 as a person residing within the state.

**History:** Eff. 1/1/2001, Register 156; am 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.040

## **2 AAC 50.348. Use of campaign contributions**

(a) A candidate, group, or nongroup entity may not make an expenditure from a campaign account in connection with a private election such as an election for a utility board, a labor union board, or a corporate board.

(b) A candidate, group, or nongroup entity shall use a designated campaign depository required under 2 AAC 50.298 to pay all expenses associated with the group's or nongroup entity's efforts to influence, directly or indirectly, the outcome of a state or municipal election, or an initiative proposal application.

(c) A candidate may invest any unused contribution that is being held for a future election campaign under AS 15.13.116 (a)(7) if the investment

(1) does not violate AS 15.13.112 (b);

(2) does not result in any personal benefit; and

(3) cannot reasonably be understood to influence official duties or actions.

(d) An investment under (c) of this section must

(1) be an arm's length commercial transaction made on terms comparable with all other investors;

(2) comply with applicable financial laws and regulations;

(3) bear the regular rates and charges for arm's length transactions; and

(4) be evidenced by a written instrument.

(e) In AS 15.13.112 (b), "campaign contributions held by a candidate or group" means campaign contributions held by a candidate or by a group that is a controlled group as provided in 2 AAC 50.290(c) .

**History:** Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200

**Authority:** AS 15.13.010; AS 15.13.030; AS 15.13.070; AS 15.13.072; AS 15.13.074; AS 15.13.112; AS 15.13.116; AS 15.13.400

## **2 AAC 50.352. Ballot measure activity**

(a) Except for a foreign national as provided in AS 15.13.068 , a person may make a contribution to a group that is organized for the principal purpose of

(1) filing an initiative proposal application with the lieutenant governor as provided in AS 15.45.020 ;

(2) sponsoring or circulating initiative petitions under AS 15.45.090 - 15.45.140 for the purpose of having an initiative measure placed on the ballot;

(3) supporting or opposing the efforts of any group that sponsors or circulates initiative petitions;  
or

(4) supporting or opposing the outcome of a ballot proposition election.

(b) A person contributing a total of \$500 or more, in the aggregate, to a group described in (a) of this section shall file a statement of contributions in compliance with AS 15.13.040(k), on a form prescribed by the commission. The statement of contributions must be filed no later than 30 days after the person's total contributions to the group total \$500 or more, in the aggregate. A person making a contribution to a group described in (a) of this section shall make the contribution in the name of the true source of the money or thing of value as required under 2 AAC 50.258.

(c) A corporation, company, partnership, firm, association, organization, business trust, labor union, or publicly funded entity that makes a contribution to a group described in (a) of this section, or makes an expenditure in support of, or in opposition to, a group described in (a) of this section, shall register in compliance with AS 15.13.050 and 2 AAC 50.290(a), and shall report the information required in AS 15.13.040 (b) and (c) unless the entity

(1) makes each contribution and expenditure described in this section from the organization's general day-to-day operating account; and

(2) does not assess, collect, pool, or solicit money or anything of value for the purpose of making any contribution and expenditure described in this section.

(d) An individual who makes an expenditure to influence the outcome of a ballot proposition election or an initiative proposal application is not required to report the expenditure if the individual meets the criteria in AS 15.13.040 (h).

**History:** Eff. 1/7/2001, Register 157; am 12/22/2011, Register 200; am 9/25/2022, Register 243

**Authority:** AS 15.13.010; AS 15.13.030; AS 15.13.040; AS 15.13.050; AS 15.13.065; AS 15.13.074

### **2 AAC 50.356. Election-related use of public money**

(a) Money held by an entity listed in AS 15.13.145 (a)(1) - (3) is considered specifically appropriated for the purpose of influencing the outcome of a ballot proposition election if the body with authority to appropriate gives notice in the public record that the purpose of the appropriation is to influence the outcome of that election or application. If an entity listed in AS 15.13.145 (a)(1) - (3) does not have money specifically appropriated to influence a ballot proposition election, an officer or employee of the entity may use money held by that entity to communicate about a ballot proposition if the communication is made in the usual and customary performance of the officer's or employee's duties.

(b) An election-related communication that a municipality pays for is considered to be intended to influence the outcome of an election unless it is a communication of information allowed under AS 15.13.145 (c), including nonpartisan information about a ballot proposition or about all candidates

seeking election to a particular public office. Information is nonpartisan if it does not advocate a position in an election. Nonpartisan information includes the official language of a ballot proposition, a neutral summary of a ballot proposition, and if provided for all candidates seeking a particular office, the candidates' names, contact information, or statements.

(c) If an entity listed in [AS 15.13.145](#) (a)(1) - (3), or an officer or employee of the entity, uses budgeted money of the entity to make an election-related expenditure other than a communication of information allowed under [AS 15.13.145](#) (c), the entity shall disclose the expenditure, and report the information required in [AS 15.13.040](#) (e). If a municipality seeks to influence the outcome of an election using public money for that purpose, it shall register and report the information required under [AS 15.13.040](#) (b) and (c).

(d) In this section, "money" means government money, government property and assets, and the use of property, assets, or human resources belonging to a government entity.

**History:** Eff. 1/1/2001, Register 156; am 12/22/2011, Register 200

**Authority:** [AS 15.13.010](#); [AS 15.13.030](#); [AS 15.13.040](#); [AS 15.13.145](#)

### **2 AAC 50.368. Joined campaigns**

(a) After filing a declaration of candidacy under [AS 15.25.030](#), candidates for governor and lieutenant governor may contribute an unlimited amount to each other's campaigns notwithstanding 15.13.112(b)(7).

(b) If the candidates for governor and lieutenant governor join assets after filing a declaration of candidacy, they must register a new campaign and file campaign disclosure reports for the joined account. A campaign account created before filing a declaration of candidacy or a campaign depository designated under [2 AAC 50.298](#) before filing a declaration of candidacy may be used.

(c) Nominated candidates for governor and lieutenant governor remain subject to the contribution limitations set out in [AS 15.13.070](#), except as provided in (a) of this section.

**History:** Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200; am 9/25/2022, Register 243

**Authority:** Art. 3, sec. 8, Ak Const; [AS 15.13.010](#); [AS 15.13.030](#); [AS 15.13.040](#); [AS 15.13.070](#); [AS 15.13.110](#); [AS 15.13.112](#)

### **2 AAC 50.375. Communications by incumbents**

If an incumbent elected official uses campaign funds to communicate with constituents during a campaign, the official shall include the information required under [AS 15.13.090](#) (a) and [2 AAC 50.306](#) on the communication, and shall report the expense as a campaign expenditure. An incumbent elected official is not required to report the expense if

(1) the official does not use campaign funds; and

(2) the communication does not expressly advocate the election or defeat of a candidate, a ballot proposition, or an initiative proposal.

**History:** Eff. 7/22/78, Register 67; am 1/1/2001, Register 156; am 12/22/2011, Register 200

**Authority:** [AS 15.13.010](#); [AS 15.13.030](#); [AS 15.13.090](#); [AS 15.13.112](#); [AS 15.13.400](#)

## **2 AAC 50.384. Winding up campaign affairs**

(a) After an election, a candidate shall disburse unused campaign contributions and other property as provided in AS 15.13.116 no later than February 1 following each state primary or general election, or 90 days after a municipal election, a municipal runoff election, or, except as provided in (d) of this section, a special election. A candidate shall report the disbursement of unused campaign contributions and other property no later than 15 days after the disbursement, but no later than February 15 for each state primary or general election, and no later than 105 days after a municipal election, a municipal runoff election, or, except as provided in (d) of this section, a special election. A candidate who transfers unused campaign contributions to a future campaign account under AS 15.13.116 (a)(7) and uses them in compliance with 2 AAC 50.348(c) and (d), or who transfers unused campaign contributions to a public office expense term account under AS 15.13.116 (a)(8), shall continue to file applicable reports. A candidate who is unable to close a campaign account or pay all campaign debts by the deadlines in this section shall continue to file applicable reports. Any unpaid campaign debt remains the responsibility of the campaign, and does not become a personal debt of the candidate.

(b) After an election, a group or nongroup entity may

(1) leave its money in a campaign account until the following election if the group plans to remain active; a group remaining active must re-register annually in compliance with 2 AAC 50.290(a), and must file a year-end report by February 15 as provided in AS 15.13.110 (a)(4); or

(2) disburse the campaign account money by

(A) contributing to another candidate or group subject to the contribution limitations and other requirements of AS 15.13;

(B) donating the money to a qualified charitable organization under 26 U.S.C. 501(c)(3);

(C) repaying its contributors; or

(D) paying for a victory or thank you party.

(c) A group or nongroup entity that does not plan to remain active shall report the disbursement of all campaign money no later than 15 days after the disbursement, but no later than February 15 for each state primary or general election, and no later than 105 days after a municipal election, a municipal runoff election, or, except as provided in (d) of this section, a special election.

(d) In this section, the time limits for disbursement and reporting after a primary or general election apply to a special election that is called to be held with, and at the time of, a general election or primary election.

**History:** Eff. 1/1/2001, Register 156; am 2/20/2005, Register 173; am 12/22/2011, Register 200; am 1/16/2015, Register 213

**Authority:** AS 15.13.010; AS 15.13.030; AS 15.13.072; AS 15.13.074; AS 15.13.110; AS 15.13.112; AS 15.13.116

## **2 AAC 50.396. Public office expense term account**

(a) A legislator may use a public office expense term account described in AS 15.13.116 (a)(8) only for expenses associated with service as a legislator. For purposes of AS 15.13.116 (a)(8) and (d) and this section, expenses associated with service as a legislator include

- (1) travel expenses as provided in (b) of this section;
- (2) office equipment used in legislative service;
- (3) flowers and cards sent to constituents;
- (4) constituent mailings reporting on legislative issues; and
- (5) other items that the United States Internal Revenue Service recognizes as bona fide expenses of serving in public office.

(b) A legislator may use public office expense term account money for travel to a state event related to the legislative office held and for travel between Juneau, Alaska and the legislator's home district during the legislative session. A legislator may not use public office expense term account money to travel to a campaign event for the legislator or for another candidate for office, a political party event, or a fundraiser or speech for a national political figure. If a legislator incidentally attends a campaign event or other partisan event in connection with travel to a state event or to the legislator's home district for a purpose related to legislative service, any additional expense of attending the campaign event or other partisan event may not be paid from a public official expense term account.

(c) In this section,

(1) "incidentally attends a campaign event or other partisan event" means that the campaign event or partisan event is not the main purpose of the legislator's travel, and the legislator would not have incurred the travel expense solely for the campaign event or partisan event;

(2) "partisan event" means an event or political activity that advocates support for one candidate over another, one political party over another, or one position over another in an ballot proposition.

**History:** Eff. 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.110; AS 15.13.116

## **2 AAC 50.405. Definitions**

In 2 AAC 50.250 - 2 AAC 50.405, unless the context requires otherwise,

(1) "ballot proposition" includes a bonding proposition, ballot initiative, ballot referendum, recall, advisory vote, ballot question proposed by the legislature, ballot measure to amend the Alaska Constitution, and any other question, as defined in AS 15.80.010 , on the ballot in an election;

(2) "candidate" has the meaning given in AS 15.13.400 (1)(A), except that the meaning given in AS 15.13.400 (1)(B) applies in a provision of 2 AAC 50.250 - 2 AAC 50.405 that limits or prohibits donation, solicitation, or acceptance of a campaign contribution, or that limits or prohibits an expenditure;

(3) "draft group" means a group of two or more individuals organized for the purpose of drafting one or more individuals to become a candidate for municipal or state elective office;

(4) "group"

(A) has the meaning given in AS 15.13.400 ;

(B) if consisting of a combination of two or more individuals as set out in AS 15.13.400 (8)(B), means a combination of individuals attempting to influence the outcome of one or more elections through activities that include raising, soliciting, collecting, or disbursing money or anything of value, and directing, coordinating, or controlling those activities, if those activities are performed, directed, coordinated, or controlled with the major purpose of supporting or opposing

(i) a candidate for public office;

(ii) a ballot proposition; or

(iii) an initiative proposal application;

(C) does not include a combination of two or more of a candidate's family members, nondependent children, parents, and siblings whose activities are performed, directed, coordinated, or controlled with the major purpose of securing only that candidate's election;

(5) "independent expenditure"

(A) has the meaning given in AS 15.13.400 ;

(B) does not include an expenditure made in cooperation or consultation with, at the request or suggestion of, or with the previous consent of a candidate, treasurer, or deputy treasurer, or of a person acting as an agent of the candidate, group, or nongroup entity; an expenditure is not an independent expenditure if it is

(i) based on information that the candidate or an agent of the candidate, group, or nongroup entity provides about plans, projects, or needs of the candidate, group, or nongroup entity;

(ii) based on data from a pollster, campaign consultant, or other person, and the pollster, campaign consultant, or other person receives compensation or reimbursement from a candidate, agent of the candidate, group, or nongroup entity;

(iii) for the purpose of soliciting contributions to be paid to a candidate, group, or nongroup entity; or

(iv) made to finance the distribution of campaign material provided by the candidate, treasurer, campaign consultant, or any other agent of the candidate, group, or nongroup entity;

(6) "nongroup entity"

(A) has the meaning given in AS 15.13.400 ; and

(B) is a nonprofit corporation, company, partnership, firm, association, organization, business trust, or society that qualifies to register to participate in an election campaign in support of or in opposition to a candidate, ballot proposition, or initiative proposal application;

(7) "ongoing group" means a group that holds surplus campaign contributions from a past election campaign or for a future election campaign and that has not filed a report under 2 AAC [50.384\(c\)](#) ;

(8) "subcommittee" means

(A) an internal subgroup of a candidate campaign; or

(B) a controlled group as provided in 2 AAC [50.290\(c\)](#) ;

(9) "subordinate unit" means any division or subgroup of a political party that is

(A) formed and maintained as specified in the rules and bylaws of the party;

(B) expressly recognized by the party as a unit of the political party; and

(C) registered as a group with the commission.

(10) "year" when used in [AS 15.13.070](#) and [AS 15.13.400](#) means a calendar year.

**History:** Eff. 7/22/78, Register 67; am 6/29/84, Register 90; am 1/4/86, Register 97; am 8/22/97, Register 143; am 1/1/2001, Register 156; am 12/22/2011, Register 200; am 9/25/2022, Register 243

**Authority:** [AS 15.13.030](#); [AS 15.13.072](#); [AS 15.13.074](#); [AS 15.13.100](#); [AS 15.13.116](#); [AS 15.13.400](#)

## CHAPTER 39.50 PUBLIC OFFICIAL FINANCIAL DISCLOSURE

### Section

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**Cross references** – For other ethics provisions applicable to the executive branch, see AS 39.52; for additional ethics provisions applicable to the legislative branch, see AS 24.60; for additional ethics provisions applicable to the judicial branch, see the Code of Judicial Conduct in the Rules of Court.

**Administrative Code** – For Alaska Public Offices Commission: Conflict of interest, campaign disclosure, legislative financial disclosure, and regulation of lobbying, see 2 AAC 50.

**Editor's notes** – Section 2, 1974 Initiative Proposal No.2, provides: "Severability. If any provision of this chapter or portion of a provision is declared by a court of competent jurisdiction to be invalid, for any cause, such invalid provision or portion of it shall be considered to be nonexistent and the remainder of this chapter shall continue in full force and effect."

Section 3, 1974 Initiative Proposal No.2, provides:

**"Repeal of inconsistent Law.** In case of conflict between provisions of this chapter and other provisions contained in the Alaska Statutes, the provisions of this chapter shall take precedence."

**Legislative history reports.** – For governor's transmittal letter for ch. 47, SLA 2007 (HB109), which added or amended various provisions of this chapter, see 2007 House Journal 109 - 110.

## **Chapter 39.50. PUBLIC OFFICIAL FINANCIAL DISCLOSURE**

### **Sec. 39.50.010. Findings and purpose.**

(a) It is declared by the people of the State of Alaska that the purposes of this chapter are

(1) to discourage public officials from acting upon a private or business interest in the performance of a public duty;

(2) to assure that public officials in their official acts are free of the influence of undisclosed private or business interests;

(3) to develop public confidence in persons seeking or holding public office, enhance the dignity of the offices and make them attractive to citizens who are motivated to public service; and

(4) to develop accountability in government by permitting public access to information necessary to judge the credentials and performance of those who seek and hold public office.

(b) The people of the State of Alaska declare that

(1) public office is a public trust that should be free from the danger of conflict of interest;

(2) the public has a right to know of the financial and business interests of persons who seek or hold public office;

(3) a compelling state interest requires that candidates for office and office holders disclose their personal and business financial interests;

(4) reasonable disclosure requirements do not violate an individual's right to privacy when the individual seeks or holds public office and a compelling state interest in the disclosure exists; and

(5) reasonable disclosure requirements do not have the effect of chilling the exercise of the right of a qualified person to seek or hold public office.

### **Sec. 39.50.020. Report of financial and business interests.**

(a) A public official other than the governor or the lieutenant governor shall file a statement giving income sources and business interests, under oath and on penalty of perjury, within 30 days after taking office as a public official. Candidates for state elective office other than a candidate who is subject to [AS 24.60](#) shall file the statement with the director of elections at the time of filing a declaration of candidacy or a nominating petition or becoming a candidate by any other means. Candidates for elective municipal office shall file the statement at the time of filing a nominating petition, declaration of candidacy, or other required filing for the elective municipal office. Refusal or failure to file within the time prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or that a previously accepted filing fee be returned and the candidate's name removed from the filing records. A statement shall also be filed by public officials no later than March 15 in each following year. On or before the 90th day after leaving office, a former public official shall file a final statement covering any period during the official's service in that office for which the public official has not already filed a

statement. Persons who are members of boards or commissions not named in AS 39.50.200(b) are not required to file financial statements.

(b) A public official or former public official other than an elected or appointed municipal officer shall file the statement with the Alaska Public Offices Commission. Candidates for the office of governor and lieutenant governor and, if the candidate is not subject to AS 24.60, the legislature shall file the statement under AS 15.25.030 or 15.25.180. Municipal officers, former municipal officers, and candidates for elective municipal office, shall file with the municipal clerk or other municipal official designated to receive their filing for office. All statements required to be filed under this chapter are public records.

***Sec. 39.50.025. Notification to candidates for legislature. [Repealed, Sec. 42 ch 127 SLA 1992].***

Repealed or Renumbered

**Sec. 39.50.030. Contents of statements.**

(a) Each statement must be an accurate representation of the financial affairs of the public official or candidate and must contain the same information for each member of the person's family, as specified in (b) and (d) of this section, to the extent that it is ascertainable by the public official or candidate.

(b) Each statement filed by a public official or candidate under this chapter must include the following:

(1) for all sources of income over \$1,000 during the preceding calendar year, including taxable capital gains, and for all gifts from a single source with a cumulative value exceeding \$250 in a calendar year, received by the person, the person's spouse or domestic partner, or the person's dependent child,

(A) each source of the income or gift;

(B) the recipient of the income or gift;

(C) the amount of the income or value of the gift;

(D) a brief statement describing whether the income was earned by commission, by the job, by the hour, or by some other method;

(E) the approximate number of hours worked to earn the income; and

(F) unless required by law to be kept confidential, a description sufficient to make clear to a person of ordinary understanding the nature of each service performed and the date the service was performed;

(2) the identity, by name and address, of each business in which the person, the person's spouse or domestic partner, or the person's dependent child has an interest or was a stockholder, owner, officer, director, partner, proprietor, or employee during the preceding calendar year, except that an interest of less than \$1,000 in the stock of a publicly traded corporation need not be included;

(3) the identity and nature of each interest in real property, including an option to buy, owned at any time during the preceding calendar year by the person, the person's spouse or domestic partner, or the person's dependent child;

(4) the identity of each trust or other fiduciary relationship in which the person, the person's spouse or domestic partner, or the person's dependent child held a beneficial interest exceeding \$1,000 during the preceding calendar year, a description and identification of the property contained in each trust or relation, and the nature and extent of the beneficial interest in it;

(5) any loan or loan guarantee of more than \$1,000 made to the person, the person's spouse or domestic partner, or the person's dependent child, and the identity of the maker of the loan or loan guarantor and the identity of each creditor to whom the person, the person's spouse or domestic partner, or the person's dependent child owed more than \$1,000; this paragraph requires disclosure of a loan, loan guarantee, or indebtedness only if the loan or guarantee was made, or the indebtedness incurred, during the preceding calendar year, or if the amount still owing on the loan, loan guarantee, or indebtedness was more than \$1,000 at any time during the preceding calendar year;

(6) a list of all contracts and offers to contract with the state or an instrumentality of the state during the preceding calendar year held, bid, or offered by the person, the person's spouse or domestic partner, or the person's dependent child, a partnership, limited liability company, or professional corporation of which the person is a member, or a corporation in which the person or the person's spouse, domestic partner, or dependent child, or a combination of them, hold a controlling interest; and

(7) a list of all mineral, timber, oil, or any other natural resource lease held, or lease offer made, during the preceding calendar year by the person, the person's spouse or domestic partner, or the person's dependent child, a partnership, limited liability company, or professional corporation of which the person is a member, or a corporation in which the person or the person's spouse, domestic partner, or dependent child, or a combination of them, holds a controlling interest.

(c) *[Repealed, Sec. 26 ch 25 SLA 1975].*

(d) In addition to the requirements of (b) of this section, each statement filed under this chapter by a public official in the executive branch of state government other than the chair or a member of a state commission or board must include a disclosure of the formation or maintenance of a close economic association involving a substantial financial matter as required by this subsection. The disclosure must be sufficiently detailed so that a reader can ascertain the nature of the association. A public official shall disclose a close economic association with

(1) a legislator;

(2) a public official who is not an elected or appointed municipal officer;

(3) a lobbyist; or

(4) a public officer if the person required to make the disclosure is the governor or the lieutenant governor.

(e) If a public official required to disclose a close economic association under (d) of this section forms a close economic association after the date on which the public official files the financial

disclosure statement required by (a) of this section, disclosure of the association must be made to the commission within 60 days after the formation of the association.

(f) When making a disclosure under (d) of this section concerning a relationship with a lobbyist to whom the public official is married or who is the public official's domestic partner, the public official shall also disclose the name and address of each employer of the lobbyist and the total monetary value received from the lobbyist's employer. The public official shall report changes in the employers of the spouse or domestic partner within 48 hours after the change. In this subsection, "employer of the lobbyist" means the person from whom the lobbyist received money, or goods or services having a monetary value, for engaging in lobbying on behalf of the person.

(g) The requirements in this section for disclosures related to a person's domestic partner do not apply to an elected or appointed municipal officer.

(h) In this section,

(1) "close economic association" means a financial relationship that exists between a public official required to disclose a close economic association under (d) of this section and some other person or entity, including a relationship where the public official serves as a consultant or advisor to, is a member or representative of, or has a financial interest in an association, partnership, limited liability company, business, or corporation;

(2) "lobbyist" has the meaning given in [AS 24.60.990\(a\)](#);

(3) "public officer" has the meaning given in [AS 39.52.960](#).

### **Sec. 39.50.035. Exemptions.**

A person subject to this chapter is not exempt from any of its provisions except to the extent state courts determine that legally privileged professional relationships preclude complete compliance.

### **Sec. 39.50.040. Blind trusts.**

(a) A public official may transfer all or a portion of the official's assets to a blind trust for the duration of service in public office. The original assets placed in the blind trust shall be listed by the official in a statement filed under this section, together with a description of the actual or potential conflicts of interest, or appearance of conflict, that the official seeks to avoid by the use of the trust. A copy of the instrument creating the blind trust must be included with the statement.

(b) For a blind trust to qualify under this section, the following conditions must be met:

(1) the trust may not contain investments or assets in which the ownership right or interest is required to be recorded in a public office other than with the Alaska Public Offices Commission, or contain assets with permanency that makes transfer by the trustee improbable or impractical, including real estate, security interests in personal property, mortgages, and interests in closely held businesses;

(2) the trustee shall be a bank, trust company, or other institutional fiduciary;

(3) the trustee shall have full authority to manage the trust, including the purchase, sale, and exchange of its assets in accordance with fiduciary principles and, without exception under any circumstances, notwithstanding this section, the prudent investment rule set out in [AS 13.36.230](#) - 13.36.290;

(4) the trust instrument shall contain a clear statement that its purpose is to remove from the settlor control and knowledge of investment of trust assets so that conflicts between the settlor's responsibilities and duties as a public official and the settlor's personal or financial interests will be eliminated;

(5) during the term of the trust, a settlor or other beneficiary of the trust may not communicate with the trustee except in writing and only regarding (A) a request for a distribution in cash or another unspecified asset of the trust, (B) the general financial requirements regarding distributions from the trust as a whole, (C) direction to the trustee that, because a law, executive order, or regulation prohibits the settlor from holding an asset, the asset may not be held by the trust, (D) direction to the trustee to sell all of an asset initially placed in the trust because the settlor has determined the sale is necessary to avoid a conflict of interest, the appearance of impropriety, or an ethical violation; quarterly the trustee may provide to the settlor a written report of the aggregate market value of the trust's assets and property but may not disclose to the settlor or other beneficiary of the trust, or any other interested party, any information about the identity and nature of any of the assets in the trust, and the trustee shall be required to report any known breach of this confidentiality;

(6) the trust shall terminate only upon order of the commission, the death or incompetence of the settlor, the termination of the settlor's status as a public official, or revocation approved in advance by the commission; the trustee shall be required to promptly report any termination of the trust to the commission;

(7) the trustee shall prepare the income tax return of the trust and may participate in the audit of the trust's returns with authority to compromise a tax liability of the trust, but may not disclose the return or information related to the return, except, promptly after the close of each taxable year of the trust, the trustee shall provide the settlor with an annual report summarizing information concerning the trust, including net income or loss, expenses, capital gains, and capital losses of the trust, as necessary to enable the settlor to prepare and file tax returns required by law; however, the summary may not directly or indirectly identify a security or other property that is an asset or former asset of the trust;

(8) the trustee shall be directed to avoid knowingly making any investment in a corporation, business, or venture over which the settlor is likely to take action by virtue of the settlor's official position;

(9) for the duration of the trust, a settlor or other beneficiary may not pledge, mortgage, or otherwise encumber a person's interests in an asset that is part of the trust, the settlor may not retain control over the trustee, and the settlor is not permitted to make any recommendations or suggestions as to the trust property;

(10) the trust instrument agreement must provide that the trustee will give the attorney general or personnel board access to any records or information related to the trust that is necessary when investigating or hearing an accusation alleging a violation of [AS 39.52](#);

(11) the trustee shall report to the commission the beginning and ending value of the trust, and, if the commission requests, the trustee shall prepare under seal a detailed description of transactions and holdings of the trust; the document prepared by the trustee under seal is not public information unless an accusation under [AS 39.52](#) relevant to the blind trust is filed by the attorney general or the personnel board; and

(12) the trust may not become effective until the trust instrument is submitted and approved by the commission.

(c) A quarterly report of aggregate market value under this section may include, in addition to the aggregate market value of the trust's assets and property, the percentage of that aggregate market value attributable to the settlor and each beneficiary, by name. Within 30 days after receipt from the trustee of the quarterly report of aggregate market value, the settlor may, notwithstanding the limitations on a communication's subject under (b) of this section, provide a written instruction to the trustee that, with respect to the trust as a whole and not a particular asset or property of the trust, the settlor prefers that the trustee adopt an investment approach that is conservative, moderate, or aggressive.

(d) A person initiating a written communication under this section shall cause a copy of the communication to be filed with the commission within five days after the date of the communication.

(e) The trustee shall maintain and make available for inspection by the commission at the commission's request the trust's tax returns, books of account, and other records and, on or before May 15 of each year, shall file with the commission a notarized document certifying compliance with this section for the preceding calendar year.

(f) Except as permitted by this section, the trustee shall make no accounting to the settlor until the date the trust terminates, and, following the termination, the trustee shall promptly make a full accounting to the settlor and turn over to the settlor all assets remaining in the trust at termination.

(g) The trustee may not at any time be held liable for an act or omission of the trustee or for any loss or depreciation of the value of an asset or property of the trust unless the trustee fails to exercise good faith, due diligence, and the ordinary skill, care, and judgment a prudent fiduciary would exercise.

### **Sec. 39.50.050. Administration and inspection.**

(a) The Alaska Public Offices Commission created under [AS 15.13.020](#)(a) shall administer the provisions of this chapter. The commission shall prepare and keep available for distribution standardized forms on which the reports required by this chapter shall be filed. The commission shall print the forms provided under this section so that the front and back of each page have the same orientation when the page is rotated on the vertical axis of the page. The commission shall require that the information required under this chapter be submitted electronically but may, when circumstances warrant an exception, accept any information required under this chapter that is typed in clear and legible black typeface or hand-printed in dark ink on paper in a format approved by the commission or on forms provided by the commission and that is filed with the commission. A municipal officer for a municipality with a population of less than 15,000 shall

submit information required under this chapter either electronically or typed or hand-printed in the manner described in this subsection.

(b) The commission shall adopt regulations to implement and interpret the provisions of this chapter. Regulations or interpretation shall be within the intent and purpose of this chapter and are subject to judicial review under [AS 44.62](#) (Administrative Procedure Act).

(c) Reports filed under this chapter shall be kept on file for at least six years and are public records.

(d) *[Repealed, Sec. 35 ch 126 SLA 1994].*

#### **Sec. 39.50.055. Administrative complaints.**

(a) A person may file a written complaint alleging a violation of this chapter has occurred or is occurring.

(b) Complaints filed under (a) of this section must be filed within five years after the date of the alleged violation.

(c) If a member of the Alaska Public Offices Commission files a complaint, that member of the commission may not participate in any proceeding of the commission relating to the complaint.

#### **Sec. 39.50.060. Penalty for wilful violation of disclosure requirements.**

(a) A person required to file a report of financial or business interests under this chapter who refuses or knowingly fails to disclose required information within the time required in this chapter, or who provides false or misleading information, knowing it to be false or misleading, is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$100 nor more than \$1,000, or by imprisonment for a period of not more than six months, or by both.

(b) Any person failing or refusing to comply with the requirements of this chapter, in addition to the penalties prescribed, shall forfeit nomination to office and may not be seated or installed in office if the person has not complied. Nominated, hired, or appointed officials, commissioners, chairs, or members of commissions or boards specified in [AS 39.50.200\(b\)](#) may not be confirmed by the legislature if compliance has not been made. In the case of elected officials, the lieutenant governor, or other certifying authority, may not certify a person's nomination for office or the person's election to office if compliance was not made within the time required. The nomination to office or election to office shall be certified to the highest vote getter for that nomination for that office or election to that office who has complied within the times required and who shall be declared nominated or elected. For purposes of this subsection, a person is considered to have complied within the time required if the person complies within 30 days after the due date established by this chapter.

**Sec. 39.50.070. Failure to report by certain public officials.**

A public official in the executive branch of state government, other than the governor or lieutenant governor or a chair or member of a state board or commission, who refuses or fails to file a report of financial interests required under this chapter when due may not hold office, and the person's name may not be submitted to the legislature for confirmation, until the person complies. The person may not be confirmed, hired, or appointed, and the person forfeits and may not be paid any salary, per diem, or travel expenses, until the person complies. If, after installation in office or beginning employment in the position, the person refuses or fails to file the required statement when due, the person is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$100 nor more than \$1,000 and shall be removed from office if compliance is not made within 30 days after the due date of the report.

**Sec. 39.50.080. Failure to report by a commission or board chairman or member.**

A person hired or appointed as a commissioner, chairman or member of a state commission or board specified in [AS 39.50.200\(b\)](#) who fails to file a report of financial interests required under this chapter when due may not hold office, and the person's name may not be submitted to the legislature until the person complies. The person may not be confirmed, and the person forfeits and may not be paid any salary, per diem or travel expenses until the person complies. If, after being seated as commissioner, chairman or member of such a commission or board the person refuses or fails to file the required statement when due, the person is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$100 nor more than \$1,000 and shall be removed from office if compliance is not made within 30 days after the due date.

**Sec. 39.50.090. Prohibited acts.**

(a) A public official may not use the official position or office for the primary purpose of obtaining personal financial gain or financial gain for a spouse, dependent child, mother, father, or business with which the official is associated or in which the official owns stock. A public official other than an elected or appointed municipal official may not use the official's position or office for the primary purpose of obtaining financial gain for the official's domestic partner.

(b) A person may not offer or pay to a public official, and a public official may not solicit or receive money for legislative advice or assistance, or for advice or assistance given in the course of the official's public employment or relating to the public employment. However, this prohibition does not apply to a chair or member of a state commission or board or municipal officer if the subject matter of the legislative advice or assistance is not related directly to the function of the commission, board, or municipal body served by the municipal officer; this exception from the general prohibition does not apply to one whose service on a state commission or board constitutes the person as a full-time state employee under this title.

(c) A public official may not represent a client before a state agency for a fee. However, this prohibition does not apply to a municipal officer, or chairman or member of a state commission or board except with regard to representation before that commission or board; this exception from the general prohibition does not apply to one whose service on the commission or board constitutes the person as a full-time state employee under this title.

(d) A municipal officer may not represent a client for a fee before the municipal body the officer serves.

(e) Violation of this section is a misdemeanor, punishable upon conviction by a fine of not less than \$500 nor more than \$2,000, by imprisonment up to one year, or by both.

(f) In this section, "public official" includes, in addition to the persons specified in [AS 39.50.200\(a\)](#), chairmen and members of all commissions and boards created by statute or administrative action as agencies of the state.

#### **Sec. 39.50.100. Enforcement by private citizens.**

(a) A qualified Alaska voter may bring a civil action to enforce any of the sections of this chapter.

(b) An action brought under (a) of this section must be brought within five years after the date of the alleged violation.

#### **Sec. 39.50.110. Report of financial interests of judicial officers.**

Each judicial officer as defined in [AS 39.50.200\(a\)](#) shall file reports of financial and business interests required by this chapter. A judicial officer who refuses or fails to file a report when it is due forfeits and may not be paid salary, per diem, or travel expenses after the due date, until compliance, and is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$100 nor more than \$1,000. The indicted officer may not be appointed by the governor or other authority until compliance. Upon failure or refusal to comply within 30 days of the due date, the judicial officer forfeits office and shall be removed from office.

#### ***Sec. 39.50.120. Report of financial interests of legislators. [Repealed, Sec. 42 ch 127 SLA 1992].***

Repealed or Renumbered

#### **Sec. 39.50.130. Report of financial interests of governor and lieutenant governor.**

The governor and lieutenant governor shall each file a report of financial interests required by this chapter. If the governor or lieutenant governor fails to file the report when due, salary, per diem, and travel expenses after the due date are forfeited and may not be paid until compliance, and the person is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$100 nor more than \$1000.

#### **Sec. 39.50.135. Civil penalty: Late filing of required reports.**

A person who fails to file a properly completed and certified report within the time required by this chapter is subject to a civil penalty of not more than \$10 a day for each day the delinquency continues as the commission determines subject to appeal to the superior court. An affidavit stating facts in mitigation may be submitted to the commission by a person against whom a civil penalty is assessed. However, the imposition of the penalties prescribed in this section or in [AS 39.50.060](#) - 39.50.130 does not excuse that person from filing reports required by this chapter.

***Sec. 39.50.140. Accepting bribe. [Repealed, Sec. 26 ch 25 SLA 1975].***

Repealed or Renumbered

**Sec. 39.50.145. Participation by municipalities.**

A municipality may exempt its municipal officers from the requirements of this chapter if a majority of the voters voting on the question at a regular election, as defined by [AS 29.71.800\(20\)](#), or a special municipality-wide election, vote to exempt its municipal officers from the requirements of this chapter. The question of exemption from the requirements of this chapter may be submitted by the city council or borough assembly by ordinance or by initiative election.

***Sec. 39.50.150. Initial filing date for public officials. [Repealed, Sec. 60 ch 21 SLA 1985].***

Repealed or Renumbered

**Sec. 39.50.200. Definitions.**

(a) In this chapter,

(1) "assistant to the governor or the lieutenant governor" includes any executive, legislative, special, administrative, or press assistant to the governor or lieutenant governor, and any person similarly employed in a policy-making position;

(2) "child" includes a biological child, an adopted child, and a stepchild;

(3) "commission" means the Alaska Public Offices Commission created under [AS 15.13.020\(a\)](#);

(4) "domestic partner" means a person who is cohabiting with another person in a relationship that is like a marriage but that is not a legal marriage;

(5) "instrumentality of the state" means a state department or agency, whether in the legislative, judicial, or executive branch, including the University of Alaska;

(6) "judicial officer" means a person appointed as a justice to the supreme court or as a judge to the court of appeals, superior court, district court, or magistrate court;

(7) "mother or father" includes a biological parent, an adoptive parent, and a stepparent;

(8) "municipal officer" includes a borough or city mayor, borough assemblyman, city councilman, school board member, elected utility board member, city or borough manager, members of a city or borough planning or zoning commission within a home rule or general law city or borough, or a unified municipality;

(9) "public official" means

(A) a judicial officer;

(B) the governor or the lieutenant governor;

(C) a person hired or appointed in a department in the executive branch as

(i) the head or deputy head of the department;

(ii) the director or deputy director of a division;

- (iii) a special assistant to the head of the department;
- (iv) a person serving as the legislative liaison for the department;
- (D) an assistant to the governor or the lieutenant governor;
- (E) the chair or a member of a state commission or board;
- (F) state investment officers and the state comptroller in the Department of Revenue;
- (G) the chief procurement officer appointed under [AS 36.30.010](#);
- (H) the executive director of the Alaska Workforce Investment Board;
- (I) each appointed or elected municipal officer; and
- (J) the members of the board of trustees, the executive director, and the investment officers of the Alaska Permanent Fund Corporation;

(10) "source of income" means the entity for which service is performed or that is otherwise the origin of payment; if the person whose income is being reported is employed by another, the employer is the source of income; but if the person is self-employed by means of a sole proprietorship, partnership, limited liability company, professional corporation, or a corporation in which the person, the person's spouse or domestic partner, or the person's dependent children, or a combination of them, hold a controlling interest, the "source" is the client or customer of the proprietorship, partnership, limited liability company, or corporation, but, if the entity that is the origin of payment is not the same as the client or customer for whom the service is performed, both are considered the source.

(b) In this chapter "state commission or board" means the

- (1) *[Repealed, Sec. 30 ch 81 SLA 2000]*.
- (2) Alaska State Council on the Arts ([AS 44.27.040](#));
- (3) Alcoholic Beverage Control Board ([AS 04.06.010](#))
- (4) State Assessment Review Board ([AS 43.56.040](#));
- (5) *[Repealed, Sec. 1 ch 54 SLA 1981]*.
- (6) Board of Education and Early Development ([AS 14.07.075](#));
- (7) Alaska Public Broadcasting Commission ([AS 44.21.256](#));
- (8) Alaska Public Offices Commission ([AS 15.13.020](#));
- (9) *[Repealed, Sec. 16 ch 61 SLA 1995]*.
- (10) Alaska Commercial Fisheries Entry Commission ([AS 16.43.020](#));
- (11) Fishermen's Fund Advisory and Appeals Council ([AS 23.35.010](#));
- (12) *[Repealed, Sec. 140 ch 4 FSSLA 1992]*.
- (13) State Commission for Human Rights ([AS 18.80.010](#));
- (14) *[Repealed, Sec. 86 ch 59 SLA 1982]*.
- (15) Alaska Judicial Council (art. IV, Sec. 8, Alaska Constitution);

- (16) Commission on Judicial Conduct (art. IV, Sec. 10, Alaska Constitution);
- (17) *[Repealed, Sec. 24 ch 22 SLA 2001]*.
- (18) Local Boundary Commission ([AS 44.33.810](#));
- (19) Occupational Safety and Health Review Board ([AS 18.60.057](#));
- (20) Board of Parole ([AS 33.16.020](#));
- (21) State Personnel Board ([AS 39.25.060](#));
- (22) *[Repealed, Sec. 20 ch 110 SLA 1981]*.
- (23) *[Repealed, Sec. 132 ch 9 FSSLA 2005]*.
- (24) Regulatory Commission of Alaska ([AS 42.04.010](#));
- (25) University of Alaska Board of Regents ([AS 14.40.120](#));
- (26) Alaska Royalty Oil and Gas Development Advisory Board ([AS 38.06.020](#));
- (27), (28) *[Repealed, Sec. 86 ch 59 SLA 1982]*.
- (29) *[Repealed, Sec. 132 ch 9 FSSLA 2005]*.
- (30) *[Repealed, 1983 Initiative Proposal No. 2, Sec. 6]*.
- (31) Workers' Compensation Board ([AS 23.30.005](#)) and Workers' Compensation Appeals Commission ([AS 23.30.007](#));
- (32) Alaska Commission on Postsecondary Education ([AS 14.42.015](#));
- (33) Alaska Municipal Bond Bank Authority ([AS 44.85.020](#));
- (34) *[Repealed, Sec. 1 ch 54 SLA 1981]*.
- (35) Alaska Medical Facility Authority ([AS 18.26](#));
- (36) Alaska Oil and Gas Conservation Commission ([AS 31.05](#));
- (37) Alaska Housing Finance Corporation ([AS 18.56.010](#) - 18.56.900);
- (38) *[Repealed, Sec. 44 ch 24 SLA 2003]*.
- (39) *[Repealed, Sec. 4 ch 75 SLA 1979]*.
- (40) Board of Fisheries ([AS 16.05.221\(a\)](#));
- (41) Board of Game ([AS 16.05.221\(b\)](#));
- (42) Alaska Permanent Fund Corporation ([AS 37.13.040](#));
- (43) *[Repealed, Sec. 69 ch 14 SLA 1987]*.
- (44) Alaska Seafood Marketing Institute ([AS 16.51.010](#));
- (45) Council on Domestic Violence and Sexual Assault ([AS 18.66.010](#));
- (46) *[Repealed, Sec. 27 ch 18 SLA 1993]*.
- (47) *[Repealed, Sec. 38 ch 168 SLA 1990]*.
- (48) *[Repealed, Sec. 16 ch 33 SLA 1996]*.

- (49) *[Repealed, Sec. 10 ch 29 SLA 1999]*.
- (50) *[Repealed, Sec. 9 E.O. No. 84 (1993)]*.
- (51) *[Repealed, Sec. 102 ch 21 SLA 2000]*.
- (52) *[Repealed, Sec. 10 ch 58 SLA 2006]*.
- (53) the board of directors and the executive director of the Alaska Aerospace Corporation ([AS 26.27.010](#));
- (54) Alaska Retirement Management Board ([AS 37.10.210](#));
- (55) Alaska Workforce Investment Board ([AS 23.15.550](#));
- (56) Board of Agriculture and Conservation ([AS 03.09.010](#));
- (57) *[Repealed, 2013 SLA ch. 11 Sec. 23]*.
- (58) Big Game Commercial Services Board ([AS 08.54.591](#));
- (59) Alaska Industrial Development and Export Authority ([AS 44.88](#));
- (60) the board of directors of the Knik Arm Bridge and Toll Authority ([AS 19.75.031](#) and [AS 19.75.041](#));
- (61) Alaska labor relations agency ([AS 23.05.360](#) - [23.05.390](#));
- (62) the Board of Trustees of the Alaska Mental Health Trust Authority ([AS 47.30.016](#));
- (63) the board of directors of the Alaska Railroad Corporation ([AS 42.40.020](#) - [42.40.060](#));
- (64) the board of directors of the Alaska Gasline Development Corporation or the board of directors of a subsidiary of the Alaska Gasline Development Corporation.

## CHAPTER 24.60 LEGISLATIVE FINANCIAL DISCLOSURE

### Section

- 24.60.200. Financial disclosure by legislators, public members of the committee, and legislative directors.
- 24.60.210. Deadlines for filing of disclosure statements.
- 24.60.220. Administration of AS 24.60.200 - 24.60.260.
- 24.60.230. Statements as public records.
- 24.60.240. Civil penalty for late filing.
- 24.60.250. Effect of failure to file.
- 24.60.255. Administrative complaints.
- 24.60.255. Administrative complaints.
- 24.60.990. Definitions.

### **Sec. 24.60.200. Financial disclosure by legislators, public members of the committee, and legislative directors.**

A legislator, a public member of the committee, and a legislative director shall file a disclosure statement, under oath and on penalty of perjury, with the Alaska Public Offices Commission giving the following information about the income received or deferred income, earned or otherwise, to be received by the discloser, the discloser's spouse or domestic partner, the discloser's dependent children, and the discloser's nondependent children who are living with the discloser:

- (1) the information that a public official is required to report under AS 39.50.030, other than information about
  - (A) income received as compensation for personal services;
  - (B) a loan or loan guarantee;
  - (C) gifts;
- (2) as to income or deferred income in excess of \$1,000 earned or received as compensation for personal services, and as to dividend income or deferred compensation in excess of \$1,000 received from a limited liability company as compensation or deferred compensation for personal services, a statement describing
  - (A) the names and addresses of the source and the recipient;
  - (B) the amount;
  - (C) whether it was or will be earned by commission, by the job, by the hour, or by some other method;
  - (D) the dates and approximate number of hours worked or to be worked to earn it; and

(E) unless required by law to be kept confidential, a description sufficient to make clear to a person of ordinary understanding the nature of each service performed or to be performed and the date the service was performed or will be performed;

(3) as to each loan or loan guarantee over \$1,000 from a source with a substantial interest in legislative, administrative, or political action, the name and address of the person making the loan or guarantee, the amount of the loan, the terms and conditions under which the loan or guarantee was given, the amount outstanding at the time of filing, and whether or not a written loan agreement exists.

**Sec. 24.60.210. Deadlines for filing of disclosure statements.**

(a) A person required to file a disclosure statement under AS 24.60.200 shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200, on or before March 15 of each year, except that a person appointed as a legislator under AS 15.40, a public member of the committee, or a legislative director must file within 30 days after the person's appointment. In addition, a person subject to this subsection shall, within 90 days after leaving service as a legislator, legislative director, or public member of the committee, file a final report containing the disclosures required of the person by AS 24.60.200 for the period that begins on the last day of the last period for which the person filed a report required by that section and ends on the date of the person's last day of service.

(b) Notwithstanding (a) of this section, a public member and a public member nominee of the committee shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200, on or before the second Monday in January of each year.

(c) The Alaska Public Offices Commission shall require that the reports required under this section be submitted electronically but may, when circumstances warrant an exception, accept any information required under this section that is typed in clear and legible black typeface or hand-printed in dark ink on paper in a format approved by the commission or on forms provided by the commission and that is filed with the commission.

**Sec. 24.60.220. Administration of AS 24.60.200 - 24.60.260.**

The Alaska Public Offices Commission shall

- (1) adopt regulations to implement and interpret the provisions of AS 24.60.200 - 24.60.260;
- (2) prepare standardized forms on which the statements required by AS 24.60.200 shall be filed; and
- (3) examine, investigate, and compare all reports and statements required under AS 24.60.200, and report all possible violations of this chapter it discovers to the committee.

**Sec. 24.60.230. Statements as public records.**

A statement filed with the Alaska Public Offices Commission under AS 24.60.200 is a public record. A person is not required to comply with AS 24.60.200 to the extent that a court of competent jurisdiction of the state determines that legally privileged professional relationships or constitutional privacy considerations would be violated by compliance.

**Sec. 24.60.240. Civil penalty for late filing.**

A person required to file a disclosure statement under AS 24.60.200 who fails to file a properly completed report under AS 24.60.200 is subject to a civil penalty of not more than \$10 a day for each day the delinquency continues as the Alaska Public Offices Commission determines, subject to appeal to the superior court. An affidavit stating facts in mitigation may be submitted to the Alaska Public Offices Commission by the person against whom the civil penalty is assessed. However, the imposition of the penalties prescribed in this section does not excuse the person from filing reports required by AS 24.60.200.

**Sec. 24.60.250. Effect of failure to file.**

(a) In addition to the sanctions described in AS 24.60.260, if the Alaska Public Offices Commission finds that a candidate for the legislature who is an incumbent legislator has failed to file a report under AS 24.60.200 by March 15, the commission shall notify the candidate that the report is late. If the candidate fails to file the report within 30 days after it is due,

- (1) the commission shall notify the lieutenant governor;
- (2) the candidate shall forfeit nomination to office and may not be seated in office;
- (3) the lieutenant governor may not certify the person's nomination for office or election to office; and
- (4) nomination to the office shall be certified as provided in AS 39.50.060(b).

(b) In addition to the sanctions described in AS 24.60.260, if the Alaska Public Offices Commission finds that a member of the committee has failed or refused to file a report under AS 24.60.200 by a deadline established in AS 24.60.210, it shall notify the presiding officer of the appropriate legislative body. In the case of a public member of the committee, the commission shall notify both presiding officers.

(c) In addition to the sanctions described in AS 24.60.260, if the Alaska Public Offices Commission finds that a legislative director has failed or refused to file a report under AS 24.60.200 by a deadline established in AS 24.60.210, it shall notify the Alaska Legislative Council or the Legislative Budget and Audit Committee, as appropriate. For the ombudsman and the office of victims' rights, the Alaska Legislative Council shall be notified.

**Sec. 24.60.255. Administrative complaints.**

(a) A person may file a written complaint alleging a violation of AS 24.60.200 - 24.60.260 has occurred or is occurring.

(b) Complaints filed under (a) of this section must be filed within five years after the date of the alleged violation.

(c) If a member of the Alaska Public Offices Commission files a complaint, that member of the commission may not participate in any proceeding of the commission relating to the complaint.

**Sec. 24.60.260. Prohibited conduct relating to disclosures; penalties.**

(a) A person required to make a disclosure under this chapter may not knowingly make a false or deliberately misleading or incomplete disclosure to the committee or to the Alaska Public Offices Commission. A person who files a disclosure after a deadline set by this chapter or by a

regulation adopted by the Alaska Public Offices Commission has violated this chapter and may be subject to imposition of a fine as provided in (c) of this section or AS 24.60.240.

(b) A person who violates this section is subject to a proceeding under AS 24.60.170, in addition to penalties that may be imposed by the Alaska Public Offices Commission under AS 24.60.240 and to the penalty set out in AS 24.60.250.

(c) The committee may impose a fine on a person who files a disclosure after a deadline set by this chapter. The amount of the fine imposed under this subsection may not exceed \$2 for each day to a maximum of \$100 for each late filing unless the committee determines that the late filing was inadvertent or wilful. If the committee finds that a late filing was inadvertent, the maximum fine the committee may impose under this subsection is \$25. If the committee determines that the late filing was wilful, the amount of the fine imposed under this subsection may be \$100 for each day but may not exceed a maximum of \$2,500.

### **Sec. 24.60.990. Definitions.**

(a) In this chapter,

(1) "administrative action" means conduct related to the development, drafting, consideration, enactment, defeat, application, or interpretation of a rule, regulation, policy, or other action in a regulatory proceeding or a proceeding involving a license, permit, franchise, or entitlement for use;

(2) "anything of value," "benefit," or "thing of value" includes all matters, whether tangible or intangible, that could reasonably be considered to be a material advantage, of material worth, use, or service to the person to whom it is conferred; the terms are intended to be interpreted broadly and encompass all matters that the recipient might find sufficiently desirable to do something in exchange for; "anything of value," "benefit," or "thing of value" does not include

(A) an item listed in AS 24.60.080(a)(2)(B) or (c);

(B) campaign contributions, pledges, political endorsements, support in a political campaign, or a promise of endorsement or support;

(C) contributions to a cause or organization, including a charity, made in response to a direct solicitation from a legislator or a person acting at the legislator's direction; or

(D) grants under AS 37.05.316 to named recipients;

(3) "committee" means the Select Committee on Legislative Ethics and includes, when appropriate, the senate or house subcommittee;

(4) "compensation" means remuneration for personal services rendered, including salary, fees, commissions, bonuses, and similar payments, but does not include reimbursement for actual expenses incurred by a person;

(5) "domestic partner" means a person who is cohabiting with another person in a relationship that is like a marriage but that is not a legal marriage;

(6) "immediate family" means

(A) the spouse or domestic partner of the person; or

(B) a parent, child, including a stepchild and an adopted child, and sibling of a person if the parent, child, or sibling resides with the person, is financially dependent on the person, or shares a substantial financial interest with the person;

- (7) "income" means an asset that a person has received or expects to receive, regardless of whether it is earned or unearned; inheritances and other gifts are not income;
- (8) "knowingly" has the meaning given in AS 11.81.900;
- (9) "legislative action" means conduct relating to the development, drafting, consideration, sponsorship, enactment or defeat, support or opposition to or of a law, amendment, resolution, report, nomination, or other matter affected by legislative action or inaction;
- (10) "legislative director" means the director of the legislative finance division, the legislative auditor, the director of the legislative research agency, the ombudsman, the victims' advocate, the executive director of the Legislative Affairs Agency, and the directors of the divisions within the Legislative Affairs Agency;
- (11) "legislative employee" means a person, other than a legislator, who is compensated by the legislative branch in return for regular or substantial personal services, regardless of the person's pay level or technical status as a full-time or part-time employee, independent contractor, or consultant; it includes public members and staff of the committee; it does not include individuals who perform functions that are incidental to legislative functions, and other employees designated by the committee;
- (12) "lobbyist" means a person who is required to register under AS 24.45.041 and is described under AS 24.45.171, but does not include a volunteer lobbyist described in AS 24.45.161(a)(1) or a representational lobbyist as defined under regulations of the Alaska Public Offices Commission;
- (13) "political action" means conduct in which public officials, including legislators or legislative employees, use their official position or political contacts to exercise influence on state and local government employees or entities; it includes but is not limited to endorsing and pledging support or actively supporting a legislative matter, a nominee, or a candidate for public office;
- (14) "registered lobbyist" means a person who is required to register under AS 24.45.041;
- (15) "representation" means action taken on behalf of another, whether for compensation or not, including but not limited to telephone calls and meetings and appearances at proceedings or meetings;
- (16) "state office" includes the office of governor, lieutenant governor, member of the legislature, or similar state office.
- (b) A person has a substantial interest in legislative, administrative, or political action if the person (1) is not a natural person and will be directly and substantially affected financially by a legislative, administrative, or political action; (2) is a natural person and will be directly and substantially affected financially by a legislative, administrative, or political action in a way that is greater than the effect on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry, or region; (3) has or seeks contracts in excess of \$10,000 annually for goods or services with the legislature or with an agency of the state; or (4) is a lobbyist. For the purpose of this subsection, the state, the federal government, and an agency, corporation, or other entity of or owned by the state or federal government do not have a substantial interest in legislative, administrative, or political action.

Article 3

**LEGISLATIVE AND PUBLIC OFFICIAL FINANCIAL DISCLOSURE**

2 AAC 50.680. Applicability; family member disclosure required

2 AAC 50.685. Reporting sources of income and gifts

2 AAC 50.690. Good faith effort to obtain information

2 AAC 50.695. Reporting deferred income

2 AAC 50.700. Reporting self-employment and business income

2 AAC 50.704. Reporting income from attorney contingency fee agreements

2 AAC 50.708. Reporting business interests and investments

2 AAC 50.712. Reporting trusts and beneficial interests

2 AAC 50.720. Reporting interests in real property

2 AAC 50.725. Reporting sources of income from rental property

2 AAC 50.740. Reporting loans, loan guarantees, and indebtedness

2 AAC 50.775. Exemption from reporting sources of income

2 AAC 50.799. Definitions

**2 AAC 50.680. Applicability; family member disclosure required**

(a) A legislative branch filer required under AS 24.60.200 to file a financial disclosure statement shall report income received, deferred income, and business interests as required in AS 39.50.030 and 2 AAC 50.680 - 2 AAC 50.799. A legislative branch filer's disclosure statement must include the required financial information for each family member of the legislative branch filer, and for any nondependent child of the legislative branch filer whose principal residence is the same as the principal residence of the legislative branch filer.

(b) A public official or candidate required by AS 39.50.020 to file a financial disclosure statement shall report income sources, gifts, deferred income, and business interests in compliance with AS 39.50.030 and 2 AAC 50.680 - 2 AAC 50.799. The disclosure statement of a public official must contain the required information for the public official and each family member of the public official. The disclosure statement of a candidate must contain the required information for the candidate and each family member of the candidate.

**2 AAC 50.685. Reporting sources of income and gifts**

(a) In a disclosure statement required by AS 24.60.200 or AS 39.50.020, a legislative branch filer, public official, or candidate shall report the applicable information required in AS 39.50.030(b)(1) for all amounts greater than \$1,000 received as

- (1) compensation or benefits received from an employer, including a nonprofit entity, and a government employer; compensation or benefits include wages, salary, commissions, tips, bonuses, housing, and use of an automobile;
- (2) dividends, interest, and other distributions of earnings from a business or investment;
- (3) self-employment income as provided in 2 AAC 50.700;
- (4) rental income as provided in 2 AAC 50.725; and (5) any other income, including proceeds of a sale of goods or property, capital gains, pensions, retirement account cash-outs, government entitlements, alimony or child support payments, honoraria, and payments not otherwise accounted for.

(b) In a disclosure statement required by AS 39.50.020, a public official or candidate shall report the applicable information required in AS 39.50.030(b)(1) for any gift with a fair market value greater than \$250, and for all gifts from a single source with a cumulative value greater than \$250. A public official or candidate is not required to report an item received without consideration from a family member, a parent, nondependent child, sibling, grandparent, aunt, uncle, niece, or nephew. The requirements of this subsection do not apply to a legislative branch filer. However, nothing in this section relieves a legislative branch filer from a reporting requirement or limitation on acceptance of gifts in any other provision of law.

(c) The amount of any income more than \$1,000 that must be reported, or the value of a gift more than \$250 that must be reported, may be stated in a range rather than as an exact amount. The ranges to be used for this purpose are the following:

- (1) more than \$250 and no more than \$1,000, for gifts only;
- (2) more than \$1,000 and no more than \$2,000;
- (3) more than \$2,000 and no more than \$5,000;

- (4) more than \$5,000 and no more than \$10,000;
- (5) more than \$10,000 and no more than \$20,000;
- (6) more than \$20,000 and no more than \$50,000;
- (7) more than \$50,000 and no more than \$100,000;
- (8) more than \$100,000 and no more than \$200,000;
- (9) more than \$200,000 and no more than \$500,000;
- (10) more than \$500,000 and no more than \$1,000,000;
- (11) more than \$1,000,000.

**2 AAC 50.690. Good faith effort to obtain information**

In a disclosure statement required by AS 24.60.200 or AS 39.50.020, a legislative branch filer, public official, or candidate shall report the information that the legislative branch filer, public official, or candidate knows after making a good faith effort to ascertain the information. A good faith effort includes a written request to each family member of the legislative branch filer, public official, or candidate, or to the person in charge of a business in which the legislative branch filer, public official, candidate, or family member of the legislative branch filer, public official, or candidate held an interest in the reporting period

- (1) asking for the information required under AS 39.50.030 and 2 AAC 50.680 - 2 AAC 50.740; and
- (2) informing the recipient of the written request that the legislative branch filer, public official, or candidate
  - (A) is required to provide the information under oath and penalty of perjury; and
  - (B) may be subject to the penalties or other remedies set out in the applicable provisions of AS 24.60.240 - 24.60.260, AS 39.50.060 - 39.50.080, 39.50.110, 39.50.130, or 39.50.135 for failure to provide the information.

**2 AAC 50.695. Reporting deferred income**

- (a) In a disclosure statement required by AS 24.60.200 or AS 39.50.020, a legislative branch filer, public official, or candidate shall report any source of income earned but deferred for payment after the end of the reporting period.
- (b) Income reported as deferred when earned must also be reported as income in the year the money or item of value is received.
- (c) This section does not apply to earned income that a legislative branch filer, public official, candidate, or family member of the legislative branch filer, public official, or candidate voluntarily elects to defer into a tax-advantaged retirement savings plan, including a plan under 26 U.S.C. 401(k), a plan under 26 U.S.C. 403(b), an individual retirement account under 26 U.S.C. 408 (IRA), and a deferred compensation plan under 26 U.S.C. 457 of a state or local government or tax-exempt organization. An interest in a tax-advantaged retirement plan must be reported as a beneficial interest under AS 39.50.030(b)(4) and 2 AAC 50.712.

## **2 AAC 50.700. Reporting self-employment and business income**

(a) In a disclosure statement required under AS 24.60.200 or AS 39.50.020, a legislative branch filer, public official, or candidate who is self-employed by means of a sole proprietorship, partnership, limited liability company, or professional corporation shall report the applicable information required in AS 39.50.030(b)(1) for each source of income as provided in AS 39.50.200(10).

(b) A legislative branch filer, public official, or candidate who is self-employed by a corporation in which the legislative branch filer, public official, or candidate holds a controlling interest shall report the applicable information required in AS 39.50.030(b)(1) for each source of income as provided in AS 39.50.200(10). In this subsection, "controlling interest" means the legislative branch filer, public official, or candidate, alone or in combination with one or more family members, controls

(1) 50 percent or more of the ownership interest or voting shares of the corporation; or

(2) less than 50 percent if the legislative branch filer, public official, or candidate and all family members of the legislative branch filer, public official, or candidates jointly exert actual control as demonstrated by

(A) making decisions for the corporation without independent participation of other owners;

(B) exercising day-to-day control over the corporation's affairs;

(C) disregarding formal legal requirements;

(D) using corporation funds for personal expenses or investments, or intermingling corporation finances with personal finances; or

(E) taking other actions that indicate the corporation is a mere instrumentality of the legislative branch filer, public official, or candidate.

(c) A legislative branch filer, public official, or candidate who has an ownership interest in, but is not self-employed by means of, a business that is a source of income shall report income from that business as provided in 2 AAC 50.685(a).

(d) Nothing in this section requires a business to keep records that identify each client, patient, or customer in a transaction involving less than \$1,000 if the business does not record the names of customers in the ordinary course of its business, or for accounting or any other purpose required by law.

## **2 AAC 50.704. Reporting income from attorney contingency fee agreements**

If a legislative branch filer, public official, candidate, or family member has self-employment income based on attorney fee agreements that are contingent on the outcome of the matter for which the service is rendered, the legislative branch filer, public official, or candidate shall report

(1) the total amount received from contingency fee agreements in the reporting period; and

(2) the name of each client from whom or on whose behalf the legislative branch filer, public official, candidate, or family member received a contingency payment; for each named client, the legislative branch filer, public official, or candidate shall also list

(A) the recipient of the contingency fee, including the legislative branch filer, public official, candidate, or family member;

(B) whether the income was earned under a fee agreement contingent on the outcome of the matter for which the service was rendered, as provided in Rule 1.5, Alaska Rules of Professional Conduct; and

(C) a description of services that conveys the nature of the service performed without violating privileged communications or client confidences.

**2 AAC 50.705. Reporting sources of income from retail businesses**

Repealed.

**2 AAC 50.708. Reporting business interests and investments**

(a) In a disclosure statement required under AS 24.60.200 or AS 39.50.020, a legislative branch filer, public official, or candidate shall report the information required in AS 39.50.030(b)(2) and this section for each business in which the legislative branch filer, public official, candidate, or family member held an interest or an option to purchase in the reporting period. A business interest includes a nonprofit entity if the legislative branch filer, public official, candidate, or family member is an employee, officer, or member of the governing board of the nonprofit entity.

(b) For each business interest reported, the disclosure statement must identify

(1) the nature of the interest of the legislative filer, public official, candidate, or family member, including stockholder, owner, officer, director, partner, proprietor, member, employee, or similar interest by any other name; and

(2) the category of income in 2 AAC 50.685(a) in which any income or benefit received from the business is reported.

(c) A legislative branch filer, public official, or candidate who owns stock investments other than trust and beneficial interests as provided in 2 AAC 50.712, and who directly and individually selects the investments, shall report each owned company by name and address. A legislative branch filer, public official, or candidate who owns stock investments selected and managed by an investment manager, financial services company, or other third party, or held in an investment fund, shall report the name and address of each investment manager, financial services company, or other third party, and shall report the name and type of any investment fund held. This subsection does not require reporting of an interest of less than \$1,000 in the stock of a publicly traded corporation.

**2 AAC 50.710. Reporting sources of income from political campaigns**

Repealed.

**2 AAC 50.712. Reporting trusts and beneficial interests**

(a) In a disclosure statement required by AS 24.60.200 or AS 39.50.020, a legislative branch filer, public official, or candidate shall report each trust fund, retirement account, or other beneficial interest in which the legislative branch filer, public official, candidate or family member holds an interest. This section does not require reporting of unvested interests, contingent interests, or other similar interests that provide no current income and may be modified before the death of another person who holds the interest.

(b) For each trust fund, retirement account, or other beneficial interest reported, the disclosure statement must include

- (1) the information required by AS 39.50.030(b)(4);
- (2) the name of the legislative branch filer, public official, candidate, or family member who holds the interest; and
- (3) for any family trust or other beneficial interest that is held by related persons, the total percentage held by
  - (A) a public official, candidate, and all family members of the public official or candidate; or
  - (B) a legislative branch filer, all family members of the legislative branch filer, and all nondependent children living with the legislative branch filer.

(c) In this section, "trust fund, retirement account, or other beneficial interest" includes

- (1) a retirement system plan administered by this state, another state, or the federal government;
- (2) an employee pension plan, profit-sharing trust, family trust, education trust, deferred compensation plan, annuity plan, or other similar arrangement intended to provide future income or financial benefits to a legislative branch filer, public official, candidate, or family member.

#### **2 AAC 50.715. Reporting sources of income from gifts**

Repealed.

#### **2 AAC 50.720. Reporting interests in real property**

In a disclosure statement required by AS 24.60.200 or AS 39.50.020, a legislative branch filer, public official, or candidate shall report an interest in real property by

- (1) the address or other legal description of the property, except that a primary residence or recreational property held for personal use may be described only by zip code; and
- (2) the nature of the interest that the legislative branch filer, public official, candidate, or family member held in the property; the nature of interests to be reported includes fee simple ownership, tenancy in common, general or limited partnership interest, and holder of an option to purchase.

#### **2 AAC 50.725. Reporting sources of income from rental property**

In a disclosure statement required by AS 24.60.200 or AS 39.50.020, a legislative branch filer, public official, or candidate shall report rental property that is a source of income as follows:

- (1) if any person paid more than \$1,000 in rent during the preceding year, the name of that person and the amount of the rent paid; and
- (2) if the property is managed by a person other than the legislative branch filer, public official, candidate, or a family member of the legislative branch filer, public official or candidate, the name of the manager.

#### **2 AAC 50.730. Duty to report family member financial affairs**

Repealed.

**2 AAC 50.735. Duty to report concluded business interests**

Repealed.

**2 AAC 50.740. Reporting loans, loan guarantees, and indebtedness**

(a) In reporting the identity of each creditor as required under AS 39.50.030(b)(5), a public official or candidate

(1) shall include any government entity that has filed a tax lien against property owned by the public official, candidate, or family member, or that claims any other indebtedness from the public official, candidate, or family member;

(2) is not required to list any retail charge account creditor, revolving charge account creditor, or credit card creditor.

(b) A legislative branch filer shall report the information required under AS 24.60.200(3) regarding any loan or loan guarantee made by a person who has a substantial interest in legislative, administrative, or political action. A person has a substantial interest in legislative, administrative, or political action if the person

(1) meets one or more of the criteria set out in AS 24.60.990(b);

(2) employs a lobbyist during any part of the period covered by the disclosure statement;

(3) is a municipality or local government entity; or

(4) receives a benefit or avoids a disadvantage as a direct result of a legislative, administrative, or political action, including an action concerning a professional or occupational license, a natural resource permit or quota, a rate of assessment or taxation, a health, safety, or environmental standard, or an insurance or business practice; a person will be presumed to have a substantial interest in legislative action under this paragraph if the legislator or legislative director filing a disclosure statement participated in legislative action that resulted in the benefit or the avoided disadvantage.

**2 AAC 50.745. Substantial interest in legislative, administrative, or political actions**

Repealed.

**2 AAC 50.765. Controlling interest in a corporation**

Repealed.

**2 AAC 50.770. Reporting sources and amounts of income from self-employment**

Repealed.

**2 AAC 50.775. Exemption from reporting sources of income**

(a) A legislative branch filer, public official, or candidate required under AS 24.50.200 or AS 39.50.020 to file a disclosure statement may, for any reason set out in this section, request an exemption from the requirement to report the name of an individual who was a source of income, the amount of income, or any other information required under AS 39.50.030 or 2 AAC 50.680 - 2 AAC 50.740. An exemption request must comply with 2 AAC 50.821. The person requesting any exemption has the burden of proving each fact necessary to show that an exemption available under this section is applicable.

(3) the legislative branch filer, public official, or candidate believes that reporting the name of a source of income would disclose protected health information that the filer is prohibited from disclosing under 42 U.S.C. 1320d - 1320d-9 (Health Insurance Portability and Accountability Act (HIPAA) of 1996).

(d) A legislative branch filer, public official, or candidate may request a personal security exemption from reporting the name of a minor that is a source of income, the amount of income, or any other information required under AS 39.50.030 or 2 AAC 50.680 - 2 AAC 50.740 that exposes the public official, candidate, or a family member to a personal security threat.

(e) A legislative branch filer, public official, or candidate may request an exemption from reporting the name of a source of income, the amount of income, or any other information required under AS 39.50.030 or 2 AAC 50.680 - 2 AAC 50.740 if a state or federal law or court order requires the name of the source or the other information to be kept confidential.

(f) Notwithstanding any other provision of this section, a legislative branch filer, public official, or candidate may request an exemption from reporting the name of a source of income, the amount of income, or any other information required under AS 39.50.030 or 2 AAC 50.680 - 2 AAC 50.740, if the public official or candidate demonstrates that the right to privacy of the information outweighs the compelling state interest in disclosing the information.

**2 AAC 50.780. Commission consideration of exemption requests**

Repealed.

**2 AAC 50.785. Filing**

Repealed.

**2 AAC 50.790. Civil penalty for late or incomplete disclosure statements**

Repealed.

**2 AAC 50.795. Procedures for late disclosure statements**

Repealed.

**2 AAC 50.799. Definitions**

(a) In AS 39.50.200(10) and 2 AAC 50.680 - 2 AAC 50.799, "self-employed" and "self-employment" means the person described

(1) has an ownership interest in the business entity from which that person derives income; and

(2) is directly and actively involved with known or identifiable persons that are clients, patients, or customers of the business by

(A) soliciting the business or patronage of the client, patient, or customer; or

(B) personally providing services to the client, patient, or customer.

(b) In 2 AAC 50.680 - 2 AAC 50.799, unless the context requires otherwise,

(1) "administrative action" has the meaning given in AS 24.60.990;

(2) "legislative action" has the meaning given in AS 24.60.990.

Article 4

**ALASKA PUBLIC OFFICES COMMISSION PROCEDURES**

2 AAC 50.801. Reports; public records

2 AAC 50.806. Inspection and preservation of records

2 AAC 50.811. Filing and service of documents; computation of time

2 AAC 50.816. Electronic filing

2 AAC 50.821. Request for exemption or waiver

2 AAC 50.826. Commission decision on staff recommendation

2 AAC 50.831. Administrative appeal of staff decision

2 AAC 50.835. Disqualification of commission member

2 AAC 50.840. Advisory opinion

2 AAC 50.845. Late or incomplete reports

2 AAC 50.850. Notice of deficiency; remedies

2 AAC 50.855. Penalty assessment procedure

2 AAC 50.860. Procedure for disputing penalty

2 AAC 50.865. Mitigating factors; aggravating factors

2 AAC 50.870. Complaints

2 AAC 50.875. Investigation

2 AAC 50.880. Answer to complaint

2 AAC 50.885. Consent agreement

2 AAC 50.888. Expedited consideration; hearing on expedited consideration

2 AAC 50.891. Hearing; record; decision

2 AAC 50.895. Referral to attorney general

2 AAC 50.899. Definitions

2 AAC 50.990. Definitions

## **2 AAC 50.801. Reports; public records**

(a) A report, record, or other information in the commission's possession may be inspected at the commission's office during regular business hours unless the commission has determined that the report, record, or other information is confidential. The commission will provide a copy of any report, record, or other information in the commission's possession, at cost as provided in AS 40.25.110 - 40.25.120.

(b) A person may request a determination that information in the commission's possession, including discovery the staff obtains in an investigation, is protected by a state or federal statute, privilege, or constitutional right, and must be kept confidential. If the commission determines, on request or on its own motion, that information in the commission's possession is protected by a state or federal statute, privilege, or constitutional right, the commission will keep the information confidential.

(c) While a staff investigation under 2 AAC 50.875 is in progress, the commission's files relating to that investigation are confidential. After the investigation is concluded and the final commission order is issued, any person may view or copy an investigation file, except for documents the commission has determined to keep confidential under (b) of this section.

**History: Eff. 12/22/2011, Register 200**

**Authority:** AS 15.13.020; AS 15.13.030; AS 15.13.110; AS 15.13.111; AS 24.45.021; AS 24.45.031; AS 24.45.091; AS 24.45.101; AS 24.60.131; AS 24.60.220; AS 24.60.230; AS 39.50.050; AS 40.25.110; AS 40.25.120

## **2 AAC 50.806. Inspection and preservation of records**

(a) In an investigation initiated by the staff, or in response to a complaint, the staff may inspect records that a person is required to keep and preserve under AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, and AS 39.50, and other relevant documents and information.

(b) The staff shall request access to inspect records, documents, or other information by mailing or delivering a letter identifying the requested records, documents, or other information with reasonable specificity. The person requested to provide access shall make the requested records, documents, or other information available to the staff at a reasonably convenient time and place no later than 10 days after the letter requesting access is mailed or delivered, unless the staff agrees to extend the time for making the records available. If the person requested to provide the records is subject to AS 15.13 or AS 24.45, and if the person does not comply or provides an incomplete response, the commission may issue a subpoena requiring production of the records.

(c) A person served with a subpoena may file a written objection to producing any record, document, or other requested information, and may request a hearing before the commission on the objection. If the commission denies the objection, and the person fails or refuses to make the records available for staff inspection, the commission may seek judicial enforcement of the subpoena as provided in AS 15.13.045(d).

(d) A person authorized under AS 15.13.111 (c) to submit records to the commission for preservation must submit the records with the form that the commission prescribes for that purpose, and in the electronic format that the commission requires. The commission may reject any records submitted in a format that is not compatible with the commission's electronic records system.

**History:** Eff. 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.045; AS 15.13.111; AS 24.45.031; AS 24.45.111; AS 24.45.131; AS 24.60.220; AS 24.60.230; AS 39.50.050

## **2 AAC 50.811. Filing and service of documents; computation of time**

(a) A document required to be filed with the commission must be electronically filed as provided in 2 AAC 50.816, or mailed or delivered to the commission. A mailed report must be postmarked no later than the due date for that document. A document delivered by hand, by electronic submission, or by facsimile transmission must be received at the commission's office no later than the due date for that document. A filing by a complainant, respondent, or other party to a commission proceeding must be accompanied by a certificate of service showing the date and method of mailing or delivery and each person to whom the document is sent.

(b) The commission will give an initial notice of hearing to any respondent by certified mail, return receipt requested, or other method of personal service. Unless the commission knows that personal service is necessary to give actual notice of a hearing date, the commission will mail or deliver any other document required under this chapter, including any notice, order, or decision, to a person's address on file with the commission. A person subject to reporting requirements under this chapter shall keep an accurate address on file with the commission, and shall promptly give the commission notice of a change of address.

(c) The commission will prepare a certificate of service for any order, notice, investigation report, or staff decision, including a penalty assessment; in the certificate, the commission will show the date and method of personal service, mailing, or delivery, and each person to whom the document is sent.

(d) The time allowed for an act required or permitted under this chapter is computed by excluding the day on which the designated period begins, and including the day on which the performance is due. Except for a disclosure that must be submitted within 24 hours under AS 15.13.110 or 15.13.040, if the day on which the performance is due is a Saturday, Sunday, or state holiday, the due date is the next business day. When a notice or other document requiring or permitting action under this chapter is served on a respondent or other person by mail, three days are added to the time allowed for the act.

**History:** Eff. 12/22/2011, Register 200; am 9/25/2022, Register 243

**Authority:** AS 15.13.030; AS 15.13.040; AS 15.13.045; AS 24.45.021; AS 24.45.041; AS 24.60.210; AS 24.60.220; AS 39.50.050

(d) A person authorized under AS 15.13.111 (c) to submit records to the commission for preservation must submit the records with the form that the commission prescribes for that purpose, and in the electronic format that the commission requires. The commission may reject any records submitted in a format that is not compatible with the commission's electronic records system.

**History: Eff. 12/22/2011, Register 200**

**Authority:** AS 15.13.030; AS 15.13.045; AS 15.13.111; AS 24.45.031; AS 24.45.111; AS 24.45.131; AS 24.60.220; AS 24.60.230; AS 39.50.050

**2 AAC 50.811. Filing and service of documents; computation of time**

(a) A document required to be filed with the commission must be electronically filed as provided in 2 AAC 50.816, or mailed or delivered to the commission. A mailed report must be postmarked no later than the due date for that document. A document delivered by hand, by electronic submission, or by facsimile transmission must be received at the commission's office no later than the due date for that document. A filing by a complainant, respondent, or other party to a commission proceeding must be accompanied by a certificate of service showing the date and method of mailing or delivery and each person to whom the document is sent.

(b) The commission will give an initial notice of hearing to any respondent by certified mail, return receipt requested, or other method of personal service. Unless the commission knows that personal service is necessary to give actual notice of a hearing date, the commission will mail or deliver any other document required under this chapter, including any notice, order, or decision, to a person's address on file with the commission. A person subject to reporting requirements under this chapter shall keep an accurate address on file with the commission, and shall promptly give the commission notice of a change of address.

(c) The commission will prepare a certificate of service for any order, notice, investigation report, or staff decision, including a penalty assessment; in the certificate, the commission will show the date and method of personal service, mailing, or delivery, and each person to whom the document is sent.

(d) The time allowed for an act required or permitted under this chapter is computed by excluding the day on which the designated period begins, and including the day on which the performance is due. If the day on which the performance is due is a Saturday, Sunday, or state holiday, the due date is the next business day. When a notice or other document requiring or permitting action under this chapter is served on a respondent or other person by mail, three days are added to the time allowed for the act.

**History: Eff. 12/22/2011, Register 200**

**Authority:** AS 15.13.030; AS 15.13.040; AS 15.13.045; AS 24.45.021; AS 24.45.041; AS 24.60.210; AS 24.60.220; AS 39.50.050

## **2 AAC 50.816. Electronic filing**

(a) Except as provided in AS 15.13.040 (m) and (b) of this section, a statement and report required to be submitted to the commission must be filed electronically on a form the commission prescribes for the purpose, unless the commission by order suspends the electronic filing requirement and requires a different method of filing. Nothing in this section relieves a person from compliance with submission or format requirements for a statement or report required to be filed with the director of elections, a municipal clerk, or any other designated official.

(b) A representational lobbyist as described in 2 AAC 50.550(d) and the employer of a representational lobbyist are not required to register or file reports electronically under this section, but may file electronically at the option of the representational lobbyist or the employer of the representational lobbyist.

(c) Except for a person required to file electronically under AS 24.45, a person may seek an exemption from the electronic filing requirement by filing a request in compliance with the exemption procedure set out in 2 AAC 50.821. In addition to meeting the requirements of 2 AAC 50.821(a), a person requesting an exemption from the electronic filing requirement must

(1) attach the statement or form that the person seeks to file by means other than electronic filing to the exemption request; and

(2) submit both the exemption request and the statement or report to which it applies by mail, facsimile transmission, or hand delivery no later than the date on which the statement or report is due.

(d) A filing submitted to the commission by electronic mail is delivered when the sender's electronic mail account confirms the electronic mail was sent to the commission. A report or registration required under AS 24.45 is delivered when

(1) electronically signed;

(2) verified by the electronic signature verification system designated by the commissioner of administration and established in 2 AAC 05.200 - 2 AAC 05.295; and

(3) recorded as submitted in the online account of the person required to register or report.

(e) In this section "electronic signature" has the meaning given in AS 09.80.190 .

(f) A report submitted in accordance with AS 15.13.040 (p) must comply with provisions of AS 15.13.040 (a)(2).

**History:** Eff. 12/22/2011, Register 200; am 1/16/2015, Register 213

**Authority:** AS 15.13.030; AS 15.13.040; AS 15.13.074; AS 24.45.021; AS 24.45.041; AS 24.45.051; AS 24.45.061; AS 24.45.116; AS 24.60.210; AS 24.60.220; AS 39.50.050

## **2 AAC 50.821. Request for exemption or waiver**

(a) To request an exemption allowed under AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, or AS 39.50, or a waiver of any requirement of this chapter, a person shall file a written request for exemption or waiver. A written request for exemption or waiver must be submitted on or before the due date of any report or filing to which it relates, and must provide the following information:

- (1) the name of the person requesting the exemption or waiver;
- (2) the person's mailing address;
- (3) the electronic mail address or telephone number at which the person may readily be contacted;
- (4) the matter for which the person seeks an exemption or waiver;
- (5) if the exemption or waiver request relates to information for which this chapter provides an exemption, the applicable provision of this chapter;
- (6) a statement whether the requested exemption or waiver is for a single report or filing, or for additional future reports requiring similar information;
- (7) the reasons for the exemption request;
- (8) any other information essential to the particular exemption or waiver request; and
- (9) a certification by the person requesting the exemption or waiver that all facts stated in the request are true.

(b) No later than 30 days after the commission receives a written exemption request that complies with (a) of this section, the staff shall send to the person requesting the exemption or waiver, at the address listed in the request, either a staff recommendation that the commission grant or deny the request, or a decision granting or denying the request. The staff shall issue a recommendation, and the matter will be presented to the commission for decision as provided in 2 AAC 50.826 if the staff determines

- (1) that the exemption request presents a factual or legal issue on which the commission has not previously made a decision in a substantially similar request for an exemption or waiver;
- (2) that the exemption request requires a policy decision by the commission; or
- (3) for other good reason.

(c) If the staff issues a decision granting the request, the decision must specifically describe the scope and duration of the exemption or waiver. If the staff issues a decision denying the request, the decision must state the reasons and notify the person requesting the exemption or waiver of the right to appeal the staff decision to the commission as provided in 2 AAC 50.831. If the

person that requested the exemption or waiver does not file an administrative appeal to the commission within 30 days after the date the staff decision is mailed or delivered to the person,

- (1) the decision is final, and may not be appealed to the commission at a later date; and
- (2) the person shall comply with any requirement of this chapter for which the exemption or waiver request was denied.

(d) A person that has requested an exemption under this section is not required to comply with the requirement from which the exemption request seeks relief if

- (1) the staff issued a recommendation subject to commission review and the commission has not issued a final written order on that recommendation; or
- (2) the commission has not issued a decision after a person appealed a staff decision in compliance with (c) of this section and 2 AAC 50.831.

**History:** Eff. 12/22/2011, Register 200; am 1/16/2015, Register 213

**Authority:** AS 15.13.030; AS 24.45.021; AS 24.60.220; AS 39.50.035; AS 39.50.050

### **2 AAC 50.826. Commission decision on staff recommendation**

(a) The procedure in this section applies when AS 15.13.374 or any provision of this chapter authorizes the staff to prepare a draft advisory opinion or other recommended decision for the commission's review. A staff recommendation must be in writing, set out applicable facts and law, and explain the reasons for the recommendation.

(b) After preparing a recommendation, the staff shall

- (1) submit the recommendation to the commission for decision; and
- (2) send a copy of the recommendation to the person that requested the opinion or exemption, or that is the subject of the matter at issue, along with notice that the recommendation has been submitted to the commission for review as provided in (c) of this section.

(c) When the commission receives a staff recommendation prepared in compliance with this section, the commission will

- (1) review the recommendation at the next regularly scheduled meeting of the commission unless, in its discretion, the commission schedules the matter at a different meeting; the commission will give the affected person notice of the date, time, and place the commission will consider the matter, and of the right to present an argument;

- (2) accept, reject, or modify the staff recommendation; and

- (3) send written notice of the commission's final decision and an order describing specifically any required action to the person that requested the opinion or exemption or is the subject of the matter at issue, at the person's address on file with the commission; in the notice the commission will state that the decision is a final commission decision and may be appealed to the superior court under AS 44.62.560.

**History:** Eff. 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 24.45.021; AS 24.60.220; AS 39.50.050

## **2 AAC 50.831. Administrative appeal of staff decision**

(a) A person that receives an adverse staff decision, including a penalty assessment under AAC 50.855, may appeal the staff decision to the commission as provided in this section. Unless otherwise provided, a person must appeal from an adverse staff decision by filing a notice of appeal and a written statement explaining the reasons the appellant believes the staff decision should be rejected. The notice of appeal and statement of reasons must be mailed or delivered to the commission no later than 30 days after the date the staff decision was mailed or delivered to the person. The commission will not consider an appeal that is not timely filed.

(b) The commission will consider a notice of appeal and statement of reasons at the next regularly scheduled commission meeting unless, in its discretion, the commission schedules the appeal for a special meeting. The commission will give the appellant advance notice of the date, time, and place the commission will consider the appeal. The appellant may appear in person or telephonically, and may be represented by an agent or an attorney licensed to practice in this state. The commission will determine the order of presentations on the appeal.

(c) After considering the statement of reasons and other relevant evidence, the commission will affirm, reject, or modify the staff decision. No later than 10 days after the date the commission enters its order, the staff shall send written notice of the commission's decision to the appellant at the appellant's address on file with the commission. An adverse decision of the commission may be appealed to the superior court as provided in AS 44.62.560 and Rules 601 - 612 of the Alaska Rules of Appellate Procedure.

**History:** Eff. 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 24.45.021; AS 24.60.220; AS 39.50.050

## **2 AAC 50.835. Disqualification of commission member**

(a) A commission member who has a conflict of interest or a relationship that creates an appearance of impropriety, or who is otherwise unable to participate in a decision in an unbiased manner so as to reach a fair and impartial decision on a matter before the commission may not participate in a decision on a staff recommendation, an administrative appeal of a staff decision, or a hearing on that matter. A commission member has a conflict of interest in a matter before the commission if

(1) the commission member has a substantial financial relationship with a complainant or respondent in the matter; or

(2) a family member, employer, business associate, or business of a commission member has a substantial financial relationship with a complainant, a respondent, or a family member, business associate, or business of a complainant or a respondent.

(b) A commission member with a conflict of interest or a relationship that creates an appearance of impropriety, or who is otherwise unable to participate in a decision in an unbiased manner, shall state on the record the nature of the conflict or the relationship. Whether the member may participate in the hearing will be determined in accordance with AS 39.52.220, including consideration of the following factors:

- (1) the significance of the member's financial relationship or interest;
- (2) whether the interest held by the member, the member's family member, or the member's business associate or business is similar to that held by a large class of persons; and
- (3) whether a reasonable person would believe a person with the relationship or interest of the commission member to be capable of fair and impartial judgment.

**History: Eff. 12/22/2011, Register 200**

**Authority:** AS 15.13.030; AS 24.45.021; AS 24.60.220; AS 39.50.050

**2 AAC 50.840. Advisory opinion**

(a) The commission staff shall review any request for an advisory opinion submitted under AS 15.13.374 . If the staff determines that a request for an advisory opinion does not satisfy the requirements of AS 15.13.374(b), the staff shall reject the request and notify the person making the request of any deficiency. A rejected request may be corrected and refiled.

(b) If the staff determines that a request for an advisory opinion satisfies the requirements of AS 15.13.374(b), the executive director or the executive director's designee shall prepare a recommended advisory opinion for the commission's consideration as provided in AS 15.13.374(c). The commission will consider the recommended opinion as provided in 2 AAC 50.826.

(c) A commission member who voted with the majority approving an advisory opinion may, no later than 15 days after the vote, move for reconsideration of the opinion based on a showing of substantial procedural error, fraud, misrepresentation, material mistake of fact or law, or new evidence relevant to the advisory opinion. If at least four members vote to reconsider an advisory opinion, the opinion is vacated.

(d) A person that requested an advisory opinion may act in reliance on the advisory opinion unless that person receives notice that the commission has reconsidered the advisory opinion. A person's good faith reliance on an advisory opinion is a complete defense to any enforcement action based on the conduct that is the subject of the advisory opinion.

(e) Nothing in this section precludes the commission from revising a previous advisory opinion for good cause.

**History: Eff. 12/22/2011, Register 200**

**Authority:** AS 15.13.030; AS 15.13.374; AS 24.45.021; AS 24.60.220; AS 39.50.050

## **2 AAC 50.845. Late or incomplete reports**

(a) A statement, report, or registration required under AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, AS 39.50, this chapter, or a commission order requiring the statement, report, or registration is late if not filed electronically or by another method the commission requires on or before the due date prescribed in the statute, regulation, or commission order requiring the statement, report, or registration. A statement, report, or registration that is not required to be filed electronically must be mailed or delivered to the commission's office on or before the date prescribed in the statute, regulation, or commission order requiring the statement, report, or registration. The statement of a municipal officer is late if the municipal clerk or the clerk's designee does not receive the statement on or before the due date for that statement.

(b) A statement, report, or registration required under AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, AS 39.50, this chapter, or a commission order is incomplete if any material item of information required by the prescribed form is not provided. However, a report is not incomplete and a penalty will not be assessed if the occupation or employer information required in AS 15.13.040 is not provided for a contribution and the treasurer or candidate returns the contribution no later than 10 days after receipt from the contributor. If the staff discovers an obvious deficiency on the face of a statement, the staff shall notify the filer of the deficiency.

**History:** Eff. 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.380; AS 15.13.390; AS 24.45.131; AS 24.45.141; AS 24.60.200; AS 24.60.210; AS 24.60.220; AS 24.60.240; AS 39.50.020; AS 39.50.050

## **2 AAC 50.850. Notice of deficiency; remedies**

(a) **Nonreceipt.** A person's failure to receive a notice of deficiency does not excuse that person's failure to mail or deliver each required filing on or before the due date for that filing.

(b) **Notice of deficiency.** Except as provided in (f) and (g) of this section, if a person required to file a registration, disclosure statement, or other report under AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, or AS 39.50 fails to file the registration, statement, or report within 10 days after the due date for that filing, the staff shall send the person responsible for the filing a written notice stating

(1) that the person's registration, statement, or report has not been filed;

(2) the date on which the registration, statement, or report was due;

(3) the amount of the civil penalty that may be assessed as of the date of the notice, and the amount by which the penalty may increase each day until the registration, statement, or report is filed.

(c) **Second notice.** In addition to the notice of deficiency described in (b) of this section, the staff shall send each public official, candidate, or legislative branch filer a second notice of deficiency in compliance with the applicable provisions of (d) - (h) of this section.

(d) **Public officials.** Except as provided in (e) of this section for a judicial officer or in (f) of this section for a municipal officer, the staff shall send a second written notice to a public official who fails to file a complete initial, annual, or final disclosure statement 25 days after the applicable due date. The second notice must contain the information set out in (b)(1) - (3) of this section and must state that

(1) failure or refusal to file the statement is punishable as a misdemeanor under AS 39.50.060;

(2) if the statement is not received 30 days after the due date, the staff will notify the commission that that the public official's statement is overdue by 30 days, and will take other action under the direction of the commission, including

(A) requesting the governor to remove the public official from office under AS 39.50.060 - 39.50.080, unless the official is the governor or lieutenant governor;

(B) requesting the state agency that administers the salary, per diem, and travel expenses of the public official to withhold those payments under AS 39.50.070 , 39.50.080, or 39.50.130;

(C) requesting the attorney general to initiate misdemeanor proceedings under AS 39.50.060 - 39.50.080 or 39.50.130; and

(D) taking other action as appropriate to carry out AS 39.50.060 - 39.50.080 or 39.50.130.

(e) **Judicial officers.** If a judicial officer, except for a person who holds judicial office for less than 30 days, fails to file a complete initial, annual, or final disclosure statement 25 days after the applicable due date, the staff shall send a second written notice containing the information set out in (b)(1) - (3) of this section. The second written notice must also state that

(1) failure or refusal to file the statement is punishable as a misdemeanor under AS 39.50.110;

(2) if the statement is not received 30 days after the due date, the staff will notify the commission that the judicial officer's statement is overdue by 30 days, and will take other action under the direction of the commission, including

(A) requesting the administrator of the court system to withhold salary, per diem, and travel expense payments to the judicial officer under AS 39.50.110;

(B) requesting the Commission on Judicial Conduct to refer the matter to the supreme court with a recommendation that the judicial officer be removed from office under AS 39.50.110;

(C) requesting the attorney general to initiate misdemeanor proceedings under AS 39.50.060 or 39.50.110; and

(D) taking other action as appropriate to carry out AS 39.50.060 or 39.50.110.

(f) **Municipal officers.** A municipal officer's annual disclosure statement is delinquent if not filed with the applicable municipal clerk or the clerk's designee on or before March 15 of each year. No later than five days after March 15 of each year, the municipal clerk or the clerk's designee shall verify that each municipal officer has filed the statement. The municipal clerk or

the clerk's designee shall notify any municipal officer whose statement is delinquent or incomplete of the filing requirement. The municipal clerk or the clerk's designee shall also notify the commission, by telephone, facsimile, or electronic mail, of the name and address of any municipal officer whose statement is delinquent or incomplete. The municipal clerk or the clerk's designee shall promptly notify the commission of the date that any delinquent or corrected statement is received.

**(g) Delinquent or incomplete statements from municipal officers; commission action.** When the commission is notified that a municipal officer's statement is delinquent or incomplete, the staff shall send written notice containing the information set out in (b)(1) - (3) of this section to that municipal officer. If a municipal officer's statement is overdue by 30 days, the commission may

- (1) request the attorney general to initiate misdemeanor proceedings; and
- (2) take other action as appropriate to carry out AS 39.50.060.

**(h) Candidates for state or municipal office.** In addition to the applicable procedures in (a) - (c) of this section, seven days before the primary election withdrawal date set in AS 15.25.055, the general election withdrawal date set in AS 15.25.200, and the withdrawal date for a municipal election, the staff shall prepare a list of each candidate for state or municipal elective office who has not filed a complete disclosure statement required under AS 39.50.020 and 39.50.030. The staff shall notify each candidate on the list of the date, time, and place of a meeting at which the commission will consider the list. If the commission determines that a listed candidate has failed to supply required information on a significant source of income, interest in real property, business interest, loan, or trust, the commission will recommend

- (1) that the lieutenant governor remove the name of the listed candidate for state elective office from the ballot, or if the candidate's name cannot be removed from the ballot, that the lieutenant governor not certify the candidate's nomination for office or election to office; or
- (2) that the appropriate municipal clerk or the clerk's designee refuse a listed municipal elective office candidate's filing for office and filing fees, or return the filing and fees, and remove the candidate's name from the filing records.

**(i) Staff investigations.** If information discovered after the deadline for withdrawal of candidacy indicates that a candidate for state or municipal elective office has failed to comply substantially with the requirements of AS 39.50 or 2 AAC 50.680 - 2 AAC 50.799, the staff shall investigate the matter as set out in 2 AAC 50.875.

**History: Eff. 12/22/2011, Register 200**

**Authority:** AS 15.13.030; AS 15.13.380; AS 15.13.390; AS 24.45.131; AS 24.45.141; AS 24.60.200; AS 24.60.210; AS 24.60.220; AS 24.60.240; AS 24.60.250; AS 24.60.260; AS 39.50.020; AS 39.50.050; AS 39.50.060; AS 39.50.070; AS 39.50.080; AS 39.50.110; AS 39.50.130; AS 39.50.135

## **2 AAC 50.855. Penalty assessment procedure**

(a) If, no later than 30 days after the due date, a person responsible for filing a registration, statement, or report required under AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, or AS 39.50 that is late or incomplete corrects the deficiency, the commission staff shall assess a penalty. The amount of the penalty must be determined by multiplying the applicable daily maximum penalty set out in AS 15.13.390, AS 24.45.141, AS 24.60.240, or AS 39.50.135 by the number of days the registration, statement, or report was late or incomplete. The number of late or incomplete days includes each day following the due date of the registration, statement, or report through the day a registration, statement, or report that substantially complies with the filing requirement is mailed or delivered to the commission.

(b) Notwithstanding (a) of this section,

(1) for late filing of a statement or report required under AS 24.60.200 - 24.60.260 or AS 39.50, the staff shall document the violation and

(A) shall waive the assessed penalty if

(i) the late filing is an initial report due from a first-time filer who is also a first-time member of a board or commission who was not notified of the required filing by the staff of that board or commission; or

(ii) the late filing is from a member of the national guard or military reserves called to active duty during the period from 60 days before the due date to 60 days after the due date;

(B) shall reduce the assessed penalty to 25 percent of the maximum penalty under AS 24.60.240 or AS 39.50.135 if the person is a first-time filer and the late filing is a candidate disclosure statement;

(C) shall reduce the assessed penalty to 50 percent of the maximum penalty if

(i) the person is not a first-time filer; or

(ii) the late filing is a final statement due after leaving office; and

(D) shall reduce the assessed penalty to 75 percent of the maximum penalty for all other late filings under this paragraph;

(2) for late filing of or an error in a registration, statement, or report required under AS 15.13, the staff shall document the violation and

(A) may not assess a penalty if

(i) the person is a first-time filer;

(ii) there were multiple or multi-day technical issues with the electronic filing system, or a day-long technical issue on the filing due date, that prevented the person from timely filing;

(iii) the late filing is from a member of the national guard or military reserves called to active duty during the period from 60 days before the due date to 60 days after the due date;

(iv) except for a disclosure that must be submitted within 24 hours under [AS 15.13.110](#) or 15.13.040, for a statement of contributions, the reporting error was the person's first error, and the contribution was reported by the recipient of the contribution not later than 30 days after the due date for the statement of contributions; or

(v) for an independent expenditure report, the reporting error was the person's first error, and the filing is not a report required to be filed within 24 hours;

(B) shall reduce the penalty to 25 percent of the maximum penalty if

(i) the election cycle is the person's first election cycle and the report is the person's first late-filed report; or

(ii) the person self-reports the missing information to the staff and discloses the information to the public within seven days after the date of self-reporting; the penalty stops accruing on the date the person self-reported the error by notifying the staff of the error; filing the late or missing information without notifying the staff of the error does not constitute self-reporting; and

(C) shall reduce the penalty to 50 percent of the maximum penalty if

(i) the election cycle is the person's first election cycle; or

(ii) the amount missing or erroneously reported on a filing is under \$100;

(3) for incomplete filings of all types, the staff shall document the violation and

(A) may not assess a penalty if the missing or incomplete information was readily available to the public through another forum;

(B) shall reduce the penalty to 50 percent of the maximum penalty if the missing or incomplete information was not readily available to the public through another forum, but the incomplete report is the first alleged violation against the person; and

(C) shall assess the maximum penalty for all other incomplete reports not addressed under (1) or (2) of this subsection;

(4) the staff may not assess a penalty if the amount of the reporting error or the amount of a transaction missing in a report is less than \$100 and is promptly corrected

(A) without receiving a notice from the staff; or

(B) within the time allowed by any notice of deficiency from the staff; or

(5) for reports required under AS 15.13.110(a)(2) or (b), the staff shall assess a penalty of not more than \$500 per day for each day a deficiency exists before the relevant election and reduce the penalty to \$50 per day for each day a deficiency remains uncorrected after the relevant

election, if the staff has received no evidence of an aggravating factor under 2 AAC 50.865(d); the amount of a penalty assessed under this paragraph is limited to not more than five times the amount of the expenditure or contribution erroneously reported or unreported

(c) When the staff assesses a penalty in compliance with (a) of this section, the staff shall, no later than 14 working days after receiving the materials that correct the deficiency, mail or deliver a written penalty assessment to the person responsible for filing the registration, statement, or report. The written penalty assessment must show the calculation of the penalty, and must state that the person responsible may appeal the penalty assessment as provided in 2 AAC 50.831 and 2 AAC 50.860.

(d) If the commission does not receive a required registration, statement, or report, or material information needed to complete a registration, statement, or report, or receives it later than 30 days after the due date, the staff shall assess a penalty as set out in this section. The written penalty assessment must also inform the person responsible for the registration, statement, or report that the amount of the penalty will continue to increase each day until the registration, statement, or report, and all material information required in the registration, statement, or report, is mailed or delivered to the commission. The staff shall also inform the person responsible for the registration, statement, or report that the staff will initiate action to enforce the remedies described in the applicable provisions of 2 AAC 50.850.

**History:** Eff. 12/22/2011, Register 200; am 1/16/2015, Register 213; am 12/21/2016, Register 220; am 9/25/2022, Register 243

**Authority:** AS 15.13.030; AS 15.13.390; AS 24.45.021; AS 24.45.141; AS 24.60.220; AS 24.60.240; AS 24.60.260; AS 39.50.050; AS 39.50.060; AS 39.50.070; AS 39.50.080; AS 39.50.135

### **2 AAC 50.860. Procedure for disputing penalty**

(a) A person who receives a penalty assessment under 2 AAC 50.855 may appeal the assessment to the commission by submitting a written statement

(1) explaining any reason the person disputes any fact relevant to the assessment;

(2) including an affidavit that states facts to support any mitigating factor listed in 2 AAC 50.865 that is applicable to that person; and

(3) showing that any aggravating factor listed in 2 AAC 50.865(d) does not apply to that person.

(b) The staff shall review any facts disputed in an appeal, including facts relevant to mitigating and aggravating factors. For any appeal of a penalty less than \$250, if the staff has no evidence of an aggravating factor, the staff may determine that facts shown in mitigation under 2 AAC 50.865(b)(1) - (4) justify reducing the penalty by 50 percent, and may calculate the reduced penalty. If the person who appealed the penalty assessment agrees to the revised penalty assessment and pays the amount due no later than 30 days after receiving the revised penalty assessment, the appeal will be considered withdrawn, and the matter resolved. If, after applying the mitigating factors in 2 AAC 50.865(a) or (b), the staff reduces the assessed penalty to \$100 or less and the person who appealed pays the revised penalty no later than 30 days after receiving the revised penalty assessment, the appeal will be considered withdrawn, and the matter resolved. If the person who appealed does not agree to the revised penalty, the staff shall provide a written recommendation to the commission and serve a copy on the person who appealed.

(c) The commission will hear a penalty assessment appeal in compliance with the procedure for administrative appeals set out in 2 AAC 50.831. After considering the statement of reasons, the affidavit, and other relevant evidence, the commission may

(1) affirm the civil penalty if the commission determines that the penalty is computed in compliance with 2 AAC 50.855 and justified either because

(A) no mitigating factors have been shown; or

(B) aggravating factors under 2 AAC 50.865(d) require imposition of the maximum penalties allowed under the relevant statutes;

(2) reduce or waive the civil penalty if the commission finds that mitigating factors justify a reduction in the amount of the assessed penalty; or

(3) reject the penalty assessment, or remand to the staff if the commission finds the penalty assessment is based on incomplete or inaccurate facts or application of the law.

(d) If the commission determines to impose part or all of a civil penalty assessed under 2 AAC 50.855, the penalty is due no later than 30 days after the date the notice of the commission's decision is mailed or delivered.

(e) A decision of the commission to impose any civil penalty may be appealed to the superior court as provided in AS 44.62.560 and Rules 601 - 612 of the Alaska Rules of Appellate Procedure. The commission will stay an obligation to pay the penalty as provided in (d) of this section when the commission decision is appealed to the superior court, but the stay terminates if the superior court affirms the commission's decision or if the appeal is withdrawn. A penalty imposed by the commission must be paid within 30 days after the superior court affirms the commission's decision or if the appeal is withdrawn.

**History:** Eff. 12/22/2011, Register 200; am 1/16/2016, Register 213; am 12/21/2016, Register 220

**Authority:** AS 15.13.030; AS 24.45.021; AS 24.60.220; AS 39.50.050

**2 AAC 50.865. Mitigating factors; aggravating factors**

(a) A civil penalty determined under 2 AAC 50.855 may be reduced by up to 50 percent if

(1) a person required to file a statement or other filing

(A) has a good filing history; in this subparagraph, "good filing history" means

(i) no late filings in the immediately preceding five years; and

(ii) for groups, no more than \$500 in non-administrative activity shown on the group's overdue report; or

(B) is an inexperienced filer; in this subparagraph, "inexperienced filer" means a person required to file reports under this chapter if that person has been subject to a registration or reporting requirement for less than 365 days, or a person engaged in the person's first election cycle;

(2) a technical error at the commission, including a communication, facsimile machine, computer program, electronic filing system, or other equipment problem may have contributed to the late or incomplete filing;

(3) any unreported or mistakenly reported information had a value of \$100 or less; or

(4) any unreported or mistakenly reported information had a value higher than \$100 but no more than \$1,000, and a factor listed in (b) of this section also applies.

(b) A civil penalty determined under 2 AAC 50.855 may be reduced by a percentage greater than 50 percent, or waived entirely based on the following factors:

(1) the person required to file, or a family member of the person required to file, experienced a personal emergency, including a call for military service, a natural disaster, a civil disturbance, or an incapacitating illness that prevented the person from filing on or before the due date; this mitigating factor is only available to a natural person;

(2) a significant cause of the late filing is commission staff error, including

(A) furnishing reporting materials too late for filing on or before the due date;

(B) giving incorrect oral or written information to a person required to submit a statement or other filing; or

(C) failing to deliver required notices when due;

(3) a late or erroneous report included only administrative costs;

(4) a late or incomplete report did not cause significant harm to the public, and aggravating factors under (d) of this section do not exist; for purposes of this paragraph, a late or incomplete report did not cause significant harm to the public if

(A) the dollar amount missing from a form or disclosure is \$100 or less;

(B) the dollar amount for the information missing from a form or disclosure is more than \$100 but no more than \$1,000, and the person required to file self-reported the error; for purposes of this subparagraph, the error is self-reported if the person notified the staff of the error, but filing the late or missing information without notifying the staff does not constitute self-reporting; or

(C) except for a disclosure that must be submitted within 24 hours under [AS 15.13.110](#) or 15.13.040, the missing or incomplete information is readily available to the public through another forum;

(5) the civil penalty assessment is significantly out of proportion to the degree of harm to the public for not having the information; for purposes of this paragraph, absent the presence of aggravating factors in (d) of this section, an assessed penalty is significantly out of proportion if it exceeds the value of the transactions that were not reported or were reported late, or, in the

case of seven-day or 24-hour reports, exceeds twice the value of the transactions that were not reported or were reported late; or

(6) a unique circumstance justifies reducing or waiving the penalty.

(c) The commission will not accept any of the following as mitigating factors to reduce the amount of a penalty:

(1) relying on another person or mailroom to mail, postmark, or submit the statement on or before a due date;

(2) forgetting to file;

(3) being a volunteer;

(4) having no change in reportable information from previous filed statements;

(5) relying on the responsible person's staff to remind the person of the filing deadline or to complete or file the report;

(6) being too busy to file;

(7) absence caused by travel, unless the travel was unplanned or unavoidable, including travel for a personal emergency, or weather-related travel problems.

(d) A civil penalty determined under 2 AAC 50.855 may be increased to the maximum amount allowed under the applicable statute if a person required to file a statement or other filing has

(1) failed to substantially comply with financial disclosure requirements by omitting a significant source of income, interest in real property, business interest, loan, trust, or other substantial financial interest; in this paragraph, "substantial financial interest" means an interest with a value greater than \$1,000; or

(2) a poor reporting history; indicators of a poor reporting history include any of the following:

(A) more than one late filing in the immediately preceding five years;

(B) evidence suggesting deliberate non-reporting;

(C) failure to cooperate with the staff;

(D) a violation of any provision of AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, AS 39.50, or this chapter in the preceding five years.

**History:** Eff. 12/22/2011, Register 200; am 12/21/2016, Register 220; am 9/25/2022, Register 243

**Authority:** AS 15.13.030; AS 24.45.141; AS 39.50.050; AS 15.13.390; AS 24.60.220; AS 39.50.135; AS 24.45.021; AS 24.60.240

## **2 AAC 50.870. Complaints**

(a) A person, including a member of the commission or the staff, may file a complaint alleging a violation of AS 15.13, AS 24.45, AS 24.60.200 - 24.60 260, AS 39.50, or this chapter.

(b) A complaint under this section must be in writing, and must be signed, under oath and upon penalty of perjury, before a notary public, municipal clerk, court clerk, postmaster, or other person authorized to administer oaths. The complaint may be on a form provided by the commission or in any other form that provides the following information:

- (1) the full name, mailing address, and telephone number of the complainant;
- (2) the name of the person alleged to be in violation;
- (3) the statute or regulation alleged to be violated;
- (4) a clear and concise description of facts that, if true, would violate a provision of AS 15.13, AS 24.45, AS 24.60.200 - 24.60 260, AS 39.50, or this chapter;
- (5) the basis of the complainant's knowledge of the facts alleged, including those based on personal knowledge and those based upon other sources of information and belief;
- (6) relevant documentation or other evidence that is available to the complainant; and
- (7) proof that a copy of the complaint and documentation was mailed or delivered to the person alleged to be in violation.

(c) No later than one day after receiving a complaint, the staff shall determine if the complaint

- (1) is signed and notarized under oath;
- (2) contains the information required in (b) of this section;
- (3) alleges facts that, if true, would be a violation of AS 15.13, AS 24.45, AS 24.60.200 - 24.60 260, AS 39.50, or this chapter; and
- (4) alleges a violation that occurred within the last five years.

(d) If the staff determines that the complaint does not meet all the criteria of (c) of this section, the staff shall, no later than one day after receiving the complaint, reject the complaint, and notify the complainant, the person alleged to be in violation, and the commission of the rejection and the reason. A person that filed a complaint rejected by the staff may file a written request asking the commission to review the rejection. The commission will review the complaint and the reasons for the staff's rejection of the complaint at the next regularly scheduled commission meeting unless, in its discretion, the commission schedules the matter for a special meeting. The commission will

- (1) affirm the staff's rejection of the complaint; or

(2) find that the complaint meets the criteria in (c) of this section, and either set a hearing for expedited consideration or direct the staff to conduct an investigation.

(e) If the staff determines that the complaint meets all the criteria of (c) of this section, the staff shall, no later than seven days after receiving the complaint, notify the complainant, the person alleged to be in violation, and the commission. The notice must include the statement that the person alleged to be in violation may file a written answer no later than 15 days after the date of the notice. The staff shall investigate the complaint as set out in 2 AAC 50.875.

(f) After accepting a complaint and before issuance of an investigation report under 2 AAC 50.875, the complainant, the executive director, and the respondent may agree in writing to withdraw the complaint. The executive director shall notify the commission that the complaint has been withdrawn by agreement. Further action on the withdrawn complaint will not be taken except upon subsequent order of the commission.

**History: Eff. 12/22/2011, Register 200; am 1/16/2015, Register 213**

**Authority:** AS 15.13.030; AS 15.13.045; AS 15.13.380; AS 15.13.390; AS 24.45.021; AS 24.45.031; AS 24.45.131; AS 24.45.135; AS 24.60.220; AS 24.60.225; AS 39.50.050; AS 39.50.055

### **2 AAC 50.875. Investigation**

(a) The staff shall undertake an investigation of a complaint that the staff or the commission determines meets the criteria in 2 AAC 50.870(c). The staff shall initiate an investigation if the commission or staff obtains information that, if true, would constitute a substantial violation of AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, AS 39.50, or this chapter. If the staff initiates an investigation, the staff shall promptly

(1) prepare a written notice, setting out the facts, allegations, and law involved; and

(2) provide the written notice and a copy of the complaint and supporting documentation to the respondent and the commission.

(b) The staff may conduct an investigation as provided in AS 15.13.045, and may

(1) request written and sworn statements from a party, witness, or other person;

(2) request the assistance of the Alaska State Troopers; and

(3) contract with a private investigator.

(c) When the staff completes an investigation, but no later than 30 days after accepting a complaint, staff shall prepare an investigation report. The investigation report must include a summary of the staff's findings, and a recommendation

(1) that a hearing be held and penalties assessed if the staff concludes that the evidence shows a violation of the law;

(2) that the matter be dismissed if the staff concludes that the evidence does not support a violation; or

(3) that the commission approve a consent agreement, if the respondent and the staff have agreed to a resolution in compliance with 2 AAC50.885.

(d) The staff shall provide a copy of the investigation report to the complainant, the respondent, and the commission. No later than 10 days after the staff mails or delivers the investigation report to the respondent, the respondent may file an answer or an amended answer to the investigation report.

(e) The commission will consider an investigation report at its next regularly scheduled meeting unless, in its discretion, the commission schedules the matter for a special meeting. The commission will give notice of the date, time, and place of the meeting to the complainant and the respondent. After considering the recommendation, the commission will

(1) schedule the matter for hearing;

(2) dismiss the complaint or investigation; or

(3) consider any consent agreement as provided in 2 AAC 50.885.

**History: Eff. 12/22/2011, Register 200**

**Authority:** AS 15.13.030; AS 15.13.045; AS 15.13.380; AS 15.13.390; AS 24.45.021; AS 24.45.031; AS 24.45.131; AS 24.60.220; AS 24.60.250; AS 39.50.050

**2 AAC 50.880. Answer to complaint**

(a) A person alleged to be in violation may file an answer

(1) to the complaint not later than 15 days after receiving notice that the complaint satisfies the requirements in 2 AAC 50.870(a) ; or

(2) to the investigation report not later than 10 days after receiving the investigation report under 2 AAC 50.875;

(b) An answer to a complaint must

(1) admit or deny the allegations in the complaint;

(2) be signed by the respondent, under oath and upon penalty of perjury, before a notary public, municipal clerk, court clerk, postmaster, or other person authorized to administer oaths;

(3) include the mailing address and telephone number of the respondent; and

(4) be accompanied by proof that a copy of the answer and supporting documentation was mailed or delivered to the complainant.

(c) An answer to a complaint or investigation report may

- (1) respond to the allegations in the complaint;
- (2) state any defense to the allegations;
- (3) object to the complaint as so indefinite or uncertain that the respondent cannot prepare a defense; and
- (4) include relevant documentation.

**History:** Eff. 12/22/2011, Register 200; am 1/16/2015, Register 213

**Authority:** AS 15.13.030; AS 15.13.045; AS 15.13.380; AS 24.45.021; AS 24.45.131; AS 24.60.220; AS 39.50.050

### **2 AAC 50.885. Consent agreement**

(a) At any time after a complaint is filed or after the staff initiates an investigation, the respondent may enter into a consent agreement with the staff. Notwithstanding 2 AAC 50.875, the staff may suspend an investigation if the respondent enters into a consent agreement before staff completes an investigation and report. A consent agreement must be in writing, must state that it is subject to commission approval, and must include an agreement regarding the assessment of civil penalties, the commission's costs of investigation and adjudication, and reasonable attorney fees, as provided in AS 15.13.390 (b). The parties may present a statement of the facts supporting the consent agreement.

(b) The commission may require evidence to support a finding that the consent agreement is in the public interest and consistent with controlling law. If the commission rejects a consent agreement, the commission will provide an explanation of the reasons for rejection, and may, as appropriate under the circumstances, proceed with a hearing on the matter under investigation, consider a revised consent agreement, or allow additional evidence or argument in support of the rejected consent agreement. If the commission accepts a consent agreement, the staff and the respondent are bound by it.

**History:** Eff. 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 24.45.021; AS 24.60.220; AS 39.50.050

### **2 AAC 50.888. Expedited consideration; hearing on expedited consideration**

(a) A complainant, the staff, or a respondent may request expedited consideration when a complaint is filed or any time before the date for an answer as provided in 2 AAC 50.880. A request for expedited consideration must be submitted as a separate document from any other filing, and must include

- (1) proof that the opposing party actually received the request for expedited consideration; and

(2) evidence showing reasonable cause to believe a violation of law has occurred or will occur, and that the violation, if not immediately restrained, could

(A) materially affect the outcome of an election or other impending event; or

(B) cause irreparable harm that penalties could not adequately remedy.

(b) The commission will consider a request for expedited consideration as provided in AS 15.13.380 (c) and (d). The commission will give the complainant, the staff, and the respondent notice of the date, time, and place of the hearing at which the commission will decide a request for expedited consideration. The notice will be posted on the commission's website and in a prominent place, visible to the general public, at the commission's offices. In the notice, the commission will state that, if the commission grants expedited consideration, the commission may hear the complaint immediately after issuing its order to expedite consideration.

(c) At the hearing on the request for expedited consideration, the commission will consider the argument and evidence in support of the request for expedited consideration and will allow the party opposing the request an opportunity to respond with argument and evidence. The commission may allow an opportunity to rebut the response. The person that requested expedited consideration has the burden of proof to demonstrate the need for expedited consideration.

(d) The commission will announce its decision on a request to expedite consideration on the record at the hearing. The commission will expedite consideration of a complaint if substantial evidence supports expediting consideration under the factors set out in AS 15.13.380 (c). If the commission denies expedited consideration, the commission will refer the complaint for investigation as provided in 2 AAC 50.875. If the commission expedites consideration, the commission will either commence the hearing immediately, or provide notice of the date, time, and location of the hearing to be held in compliance with AS 15.13.380(d).

(e) A hearing on expedited consideration will be conducted as provided in 2 AAC 50.891 except that the commission may, for good cause and consistent with due process, modify any procedure in order to expedite the proceeding. The commission will issue an order as provided in AS 15.13.380 (d).

**History: Eff. 12/22/2011, Register 200**

**Authority:** AS 15.13.030; AS 15.13.045; AS 15.13.380; AS 24.45.021; AS 24.60.220; AS 39.50.050

**2 AAC 50.891. Hearing; record; decision**

(a) The commission will conduct a hearing on a complaint, an investigation report, or a consent decree, in compliance with AS 44.62.330- 44.62.630.

(b) The commission will give the complainant and respondent reasonable notice of the date, time, and place of the hearing. In addition, the commission will post the notice on the commission's website and in a prominent place, visible to the public, at the commission's offices. If the hearing is conducted by telephone, audio or video teleconferencing, or other electronic means, the commission will, in the notice, designate at least one place for public access. The

complainant or a party may request a change in the date, time, or place of a hearing. The commission may grant a change in the date, time, or place of a hearing for good cause and with reasonable notice to the complainant, the parties, and the public.

(c) Before a hearing, a respondent may inspect the staff case file, and may obtain copies at cost. However, internal staff memoranda and any privileged information may not be inspected or copied.

(d) Except as provided in 2 AAC 50.888 for a hearing on a request for expedited consideration, the staff and the respondent are parties to a hearing. For good cause, the commission may also designate the complainant as a party. A party to a hearing may be represented by an agent or an attorney licensed in this state, and may call witnesses and present evidence. A complainant that is not designated as a party to the proceeding may present argument, but may not call witnesses or present evidence. The staff shall present the investigation report, and bears the burden of proving a violation by a preponderance of the evidence.

(e) The hearing will be recorded and open to the public. A complainant or respondent may arrange for preparation of a transcript at the complainant's or respondent's own expense. A copy of any transcript prepared from the recording must be filed with the commission.

(f) No later than 10 days after the record closes, the commission will issue an order in compliance with AS 44.62.510.

(g) The commission may reconsider an order as provided in AS 44.62.540. A request for reconsideration must be filed no later than 15 days after the commission delivers or mails an order as provided in (f) of this section. A request for reconsideration must state specific grounds for reconsideration. The commission will reconsider its decision only if

(1) a substantial procedural error occurred;

(2) the order was based on fraud, misrepresentation, or material mistake of fact or law;

(3) new evidence has been discovered that could not have been discovered before the hearing using reasonable diligence.

(h) If a final order of the commission determines that a violation has occurred, the commission may assess appropriate civil penalties, the commission's costs of investigation and adjudication, and reasonable attorney's fees against the respondent. Costs of investigation and adjudication include costs of serving subpoenas, witness fees, database searches, deposition costs, staff travel costs, witness travel costs, transcription costs paid to outside firms, expert or consultant fees, overtime pay for hourly staff employees, copying costs, materials, costs of preparing hearing materials and display, costs of publishing hearing notices, hearing officer fees, and honoraria and travel costs of commissioners.

**History:** Eff. 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.045; AS 15.13.380; AS 24.45.021; AS 24.45.131; AS 24.60.220; AS 24.60.240; AS 24.60.250; AS 39.50.050; AS 39.50.135

## **2 AAC 50.895. Referral to attorney general**

(a) If a person that is assessed a civil penalty for a violation of this chapter refuses or fails to appeal or pay the penalty, the commission will refer the matter to the attorney general for appropriate action.

(b) If, before the commission concludes action on a complaint, the attorney general or a federal agency

(1) files a civil complaint addressing the subject matter of the administrative complaint, the commission will dismiss the administrative complaint without prejudice; or

(2) initiates a criminal investigation or proceeding addressing the subject matter of the administrative complaint, the commission may suspend action until the criminal proceeding concludes.

**History:** Eff. 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 15.13.380; AS 15.13.385; AS 24.45.031; AS 24.45.131

## **2 AAC 50.899. Definitions**

In 2 AAC 50.801 - 2 AAC 50.899, unless the context requires otherwise,

(1) "delivered" means conveyed by hand-delivery, electronic submission, or facsimile transmission;

(2) "mailed" means sent by first class or higher priority service using the United States Postal Service.

**History:** Eff. 12/22/2011, Register 200

**Authority:** AS 15.13.030; AS 24.45.021; AS 24.45.031; AS 24.60.220; AS 24.60.240; AS 39.50.050

## **2 AAC 50.990. Definitions**

In this chapter, unless the context requires otherwise:

(1) "agent"

(A) means a representative or one who is authorized to act for another;

(B) includes a contractor or subcontractor;

(2) "anything of value"

(A) except as provided in (B) of this paragraph, means any item, property, or services, tangible or intangible, that could reasonably be considered to be a material advantage, or of material worth, use, or service to a person receiving the item, property, or services;

(B) for a legislative branch filer, has the meaning given in AS 24.60.990;

(C) includes any facility, equipment, polling information, supplies, advertising service, membership list, mailing list, and the service of distributing information by means of electronic mail, unless the cost of doing so is minimal;

(3) except as provided in 2 AAC 50.405, "candidate"

(A) means a candidate for state or municipal elective office;

(B) includes an individual who

(i) submits a letter of intent to the commission under 2 AAC 50.274; or

(ii) has publicly announced an intent to run as a write-in candidate;

(4) "child" has the meaning given in AS 39.50.200;

(5) "commission" means the Alaska Public Offices Commission;

(6) "complainant" means a person who files a complaint with the commission under 2 AAC 50.870;

(7) "contribution"

(A) has the meaning given in AS 15.13.400;

(B) includes

(i) a subscription, advance, transfer, forgiveness of all or part of a debt, relaxation of credit, or anything of value made for or provided to a candidate or campaign by a person, group, or nongroup entity for the purpose set out in AS 15.13.400 (4)(A); and

(ii) a personal contribution as provided in 2 AAC 50.254;

(C) does not include

(i) costs that a media organization, including a broadcasting station, newspaper, or periodical of regular publication, incurs in covering or carrying a news story, editorial, or commentary; however, if the media organization is owned or controlled by a political party, group, or candidate, the cost of the news story, editorial, or commentary is a contribution, unless the media organization carries a bona fide news account as part of a general pattern of campaign-related news accounts that gives reasonably equal coverage to all opposing candidates in the circulation or listening area;

(ii) a non-monetary contribution or in-kind donation of a single item with a normal cost of \$50 or less;

(iii) a payment by an individual for the individual's own travel expenses, if the payment is voluntary and is made without an understanding that the payment will be directly or indirectly repaid;

(iv) costs that a business, corporation, trade association, labor union, or other organization not organized primarily to influence elections incurs to communicate directly with the organization's members, employees, or the families of members or employees, on any subject, if

the communication is in the same format the organization has used in the past for communications on nonpolitical subjects, and does not solicit contributions or any action other than voting for or against a candidate or ballot proposition or question;

(v) a gift, loan, advance, or deposit of money or anything of value made with respect to a recount of a state or municipal election;

(vi) costs incurred to provide necessary administrative services associated with a payroll withholding plan, if the costs do not include expenses associated with soliciting contributions;

(vii) provision of a service or facility to a candidate, group, or nongroup entity if the entity providing the service or facility is paid at a commercially reasonable rate within a commercially reasonable time or makes the service or facility available to all candidates for a particular office;

(viii) provision of an organization's membership or mailing list to the group or nongroup entity affiliated with the organization;

(ix) the use of personal money or credit by a campaign treasurer or deputy treasurer for an expenditure allowable under AS 15.13.112 , if the amount does not exceed \$500 and is repaid before the end of the report cycle in which the expenditure was made; or

(x) the use of personal money or credit by a candidate for an authorized campaign expenditure, if the amount is repaid no later than three days after the date of the expenditure;

(8) "creditor" includes a government authority that has a right by law to demand and recover money from a person or a person's family member;

(9) "deferred income" means money or anything of value that is earned in a reporting period, but is to be paid after the end of that reporting period;

(10) "disclosure statement" or "statement" means a disclosure statement required under AS 24.60.200 or AS 39.50.020;

(11) "domestic partner" has the meaning given in AS 39.50.200;

(12) "family member" means

(A) a spouse;

(B) a domestic partner;

(C) a dependent child; in this subparagraph, "dependent child" means an unmarried child of a person subject to this chapter who is dependent upon that person and who is either

(i) under 19 years of age; or

(ii) under 23 years of age and registered at and attending on a full-time basis an accredited educational or technical institution recognized by the Department of Education and Early Development; age restrictions set out in this subparagraph do not apply to a child who is totally and permanently disabled;

(13) "gift"

(A) means a payment or item received without consideration of equal or greater value;

(B) for a person subject to AS 24.45, has the meaning given in AS 24.45.171;

(C) includes

(i) satisfaction of a loan or debt by forgiveness or payment by a third party, or a third party's enforceable promise to pay the loan or satisfy the debt obligation if the person obligated does not give full and adequate consideration;

(ii) accommodations, including housing, a hotel room, and a vacation rental;

(iii) a ticket for travel or an entertainment event;

(iv) food or beverages not intended for immediate consumption;

(v) a discount or rebate for goods and services if the discount or rebate is not available to the public generally;

(vi) goods or services provided or loaned for personal or professional use, including office expenses connected with holding public office;

(vii) a scholarship to pay costs of an educational or recreational program;

(D) does not include

(i) a political contribution;

(ii) a commercially reasonable loan made in the ordinary course of business in exchange for consideration of equal or greater value;

(iii) an inheritance;

(iv) an item of value received without consideration from a family member or a parent, nondependent child, sibling, grandparent, aunt, uncle, niece, or nephew;

(14) "income"

(A) has the meaning given in AS 24.60.990;

(B) includes money or anything of value, including deferred income, earned or received

(i) in exchange for labor or services;

(ii) from the sale of goods or property;

(iii) as profit from a financial investment;

(iv) as alimony;

(v) as child support;

(vi) as a government entitlement; or

(vii) as an honorarium;

(15) "individual" means a natural person;

- (16) "judicial officer" has the meaning given in AS 39.50.200;
- (17) "labor union" means a local, national, or international union, a labor council, or any other labor organization recognized under state or federal law;
- (18) "legislative branch filer" means
- (A) a legislator;
  - (B) a legislative director;
  - (C) a member of the Select Committee on Legislative Ethics;
- (19) "loan or loan guarantee" means a business or personal
- (A) loan signed or co-signed by the legislative branch filer, public official, or candidate, or a family member of the legislative branch filer, public official or candidate; or
  - (B) loan guarantee made on behalf of the legislative branch filer, public official, or candidate, or a family member of the legislative branch filer, public official, or candidate;
- (20) "lobbyist" has the meaning given in AS 24.45.171;
- (21) "minor" means an individual who is under 18 years of age;
- (22) "money" means currency of the United States or of a foreign nation, checks, money orders, or negotiable instruments payable on demand;
- (23) "municipality" has the meaning given in AS 01.10.060;
- (24) "municipal officer" has the meaning given in AS 39.50.200;
- (25) "nondependent child" is a child that is not a dependent for purposes of the definition of "family member" in this section;
- (26) "person"
- (A) has the meaning given in AS 15.13.400;
  - (B) includes an initiative committee that is designated as provided in AS 15.45.030;
- (27) "political action" has the meaning given in AS 24.60.990;
- (28) "public official" or "public officer" has the meaning given in AS 39.50.200;
- (29) "resident of the state" or "resident of this state"
- (A) means an individual who meets the requirements of AS 01.10.055; and
  - (B) includes each individual who is registered to vote in the state;

(30) "respondent" means a person against whom a complaint has been made or an investigation has been initiated under 2 AAC 50.870 - 2 AAC50.875;

(31) "sibling" means a brother or sister, including a stepbrother, stepsister, and adopted brother or sister;

(32) "source of income" has the meaning given in AS 39.50.200;

(33) "staff"

(A) means the staff of the Alaska Public Offices Commission, employed under AS 15.13.020 (i);

(B) includes any individual hired as a contractor to provide specific services to the commission;

(C) does not include a member of the commission;

(34) "taking office" means the earlier of

(A) the day on which the public official first earns compensation for work; or

(B) the day on which the public official takes the oath of office;

(35) "working day" means a day other than Saturday, Sunday, or a state holiday;

(36) "zero report" means a report filed under AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, or AS 39.50 that shows the person filing the report had no reportable activity during the period of time covered by the report.

**History:** Eff. 12/22/2011, Register 200; am 1/16/2015, Register 213

**Authority:** AS 15.13.030; AS 24.45.021; AS 24.60.220; AS 39.50.050

# Campaign Disclosure Form Template

## Page 1 - Instructions

### INSTRUCTIONS

Please **contact APOC staff** with any questions about this form:

- Email: [doa.poc.apocforms\\_feedback@alaska.gov](mailto:doa.poc.apocforms_feedback@alaska.gov)
- Phone: (800) 478-4176 Statewide Toll Free  
(907) 276-4176 Anchorage  
(907) 465-4864 Juneau
- In Person: 2221 E. Northern Lights Blvd., Rm. 128, Anchorage, AK 99508  
240 Main St., Rm. 500, Juneau, AK 99811

#### Before beginning this form:

1. To certify this form you must create or use an existing MyAlaska account. Please either have your current username and password ready, or create a MyAlaska account before beginning to fill this out. You may create a MyAlaska account by accessing <http://myalaska.state.ak.us>.
2. Please collect any necessary financial documentation that will assist you with filling out this form. For example, you will need information regarding income, property, and other assets.
3. Please be aware that it may take a significant amount of time to complete this form and plan accordingly. Once you begin, you may save the data you have already entered by clicking the "Save & resume later" button at the bottom of the screen.
4. **The program has an automatic "timeout" feature of 20 minutes.** If you have your filing open but are not entering data, the best approach is to click the "save and resume" button and return to the form when you have time. If you do get timed out, you will be brought back to the MyAlaska sign in page. Enter your user name and password to access your already saved filing.
5. Please remember that once submitted this form becomes a public document. Do not include confidential information such as social security numbers and bank account numbers.

**THIS REPORT IS A SWORN STATEMENT. YOUR SIGNATURE ON THE LAST PAGE CERTIFIES THAT THIS DISCLOSURE IS TRUE, CORRECT and COMPLETE.**

**If you have already started an online filing and saved it to "resume later," DO NOT start a new form. To access your saved filing, scroll to the top of this page and click on the tab labeled Campaign Disclosure, and then click the text 'View My Campaign Disclosure Filings'. You may edit/complete your filing by clicking "resume" in the far right column.**

Cancel

Next

# Page 2 – Filer Information

## FILER INFORMATION

**Report Year:**   Check if this is a report for a group or candidate that is not registered in the filing year

**Are you filing as a candidate or as a group?**

- Candidate
- Group

**Select the Candidate:**

**Filer First Name:**

**Filer Middle Name:**

**Filer Last Name:**

**Filer's Title:**

**Note 1:** the Filer is the person filling out this form.

**Note 2:** if you don't see the group or candidate listed, you may not have filed your registration form or have permissions to file for that account.

# Page 3 – Candidate or Group Information

- ⤴ This page is mostly view only. To change an error with the Candidate or Group that was registered, and amendment must be filed.
- ⤴ Groups must select which election (if any) the report is for.

Candidates:

**CANDIDATE INFORMATION**

Candidate Name:

Address:

City:  State:  Zip Code:  Country:

---

Election:

3 / 10

Groups:

**GROUP INFORMATION**

Group Name:

Group Abbreviation:

Address:

City:  State:  Zip Code:  Country:

---

Election:

3 / 10

# Page 4 – Report Information

## REPORT INFORMATION

Reporting Period:

Report Begin: 3/5/2011



Report End: 2/1/2012



Report Type

- Year Start Report
- Thirty Day Report
- Seven Day Report
- 24 Hour Report
- 105 Day Report
- Year End Report
- Optional Reports ---**
- 24 Hour Report

**Check below if applicable:**

- NO ACTIVITY. During the time above, we received NO contributions, made NO expenditures, and incurred NO debts. Our closing cash on hand is identical to the closing cash on hand disclosed in our last report.
- FINAL REPORT. We have closed out our campaign account. Our closing cash on hand is zero and we have no outstanding debts.

Save & Resume Later

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# Page 5 – Income (Candidates)

- ⤴ See the end of this document for more information regarding the Import, Export, and Remove buttons.
- ⤴ Non-Monetary Income items will be added to the income total and the expenditure total, and the amounts will cancel out.

**CANDIDATES:** Contributions greater than \$50 require reporting of principal occupation and employer of contributor.

Action	Date Received	Payment Type	Contributor	Details	Amount
	Date: <input type="text" value=""/>	Payment Type: <input type="text" value="Check"/> <span style="font-size: small;">▼</span>	Check Number: <input type="text" value=""/>	Amount: <input type="text" value="\$"/>	
	Contributor Last/Business Name: <input type="text" value=""/>		Contributor First/Other Name(s) (if Applicable): <input type="text" value=""/>		
	Address: <input type="text" value=""/>				
	City: <input type="text" value=""/>	State: <input type="text" value="Alaska"/> <span style="font-size: small;">▼</span>	Zip Code: <input type="text" value=""/>	Country: <input type="text" value="United States"/> <span style="font-size: small;">▼</span>	
	Occupation: <input type="text" value=""/>		Employer: <input type="text" value=""/>		
		<input type="button" value="Cancel"/>	<input type="button" value="Add Item"/>		

<b>Summary</b>	Income Subtotal:	<b>\$0.00</b>
----------------	------------------	---------------

# Page 5 – Income (Groups)

- ⤴ See the end of this document for more information regarding the Import, Export, and Remove buttons.
- ⤴ Non-Monetary Income items will be added to the income total and the expenditure total, and the amounts will cancel out.

**GROUPS:** Report all group income. Contributions of **\$100 or greater** must be reported by Date Received, Payment Type, Payment Detail, Contributor Name and Address. Contributions in **excess of \$100** must also include Principal Occupation and Employer.

Action	Date Received	Payment Type	Contributor	Details	Amount
<div style="display: flex; justify-content: space-between;"> <div>Date: <input style="width: 150px;" type="text"/> </div> <div>Payment Type: <input style="width: 100px;" type="text"/> <input type="button" value="Check"/></div> <div>Check Number: <input style="width: 150px;" type="text"/></div> <div>Amount: <input style="width: 100px;" type="text"/></div> </div>					
<div style="display: flex; justify-content: space-between;"> <div>Contributor Last/Business Name: <input style="width: 300px;" type="text"/></div> <div>Contributor First/Other Name(s) (if Applicable): <input style="width: 300px;" type="text"/></div> </div>					
Address: <input style="width: 900px;" type="text"/>					
<div style="display: flex; justify-content: space-between;"> <div>City: <input style="width: 150px;" type="text"/></div> <div>State: <input style="width: 100px;" type="text"/> <input type="button" value="Alaska"/></div> <div>Zip Code: <input style="width: 100px;" type="text"/></div> <div>Country: <input style="width: 100px;" type="text"/> <input type="button" value="United States"/></div> </div>					
Occupation: <input style="width: 300px;" type="text"/>					
Employer: <input style="width: 300px;" type="text"/>					
Description (Optional): <input style="width: 900px;" type="text"/>					
<input type="button" value="Cancel"/> <input type="button" value="Add Item"/>					

<b>Summary</b>		
	Income over \$100 Subtotal:	<b>\$0.00</b>
	Number of Monetary Contributions under \$100:	<input type="text" value="0"/>
	Sum of Monetary Contributions under \$100: \$	<input type="text" value="0.00"/>
	Income Subtotal:	<b>\$0.00</b>

# Page 6 – Expenditures

- ⤴ See the end of this document for more information regarding the Import, Export, and Remove buttons.
- ⤴ Non-Monetary Income items will be added to the income total and the expenditure total, and the amounts will cancel out.

**CAMPAIGN EXPENDITURES** Remove Export Import

Action	Expenditure Date	Payment Type	Vendor	Purpose of Expenditure	Amount
<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;">Date: <input type="text"/></div> <div style="width: 20%;">Payment Type: <input type="text" value="Check"/></div> <div style="width: 20%;">Check Number: <input type="text"/></div> <div style="width: 20%;">Amount: <input type="text" value="\$"/></div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;">Vendor Last/Business Name: <input type="text"/></div> <div style="width: 45%;">Vendor First/Other Name(s) (if Applicable): <input type="text"/></div> </div> <div style="margin-top: 10px;">Address: <input type="text"/></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 20%;">City: <input type="text"/></div> <div style="width: 20%;">State: <input type="text" value="Alaska"/></div> <div style="width: 20%;">Zip Code: <input type="text"/></div> <div style="width: 20%;">Country: <input type="text" value="United States"/></div> </div> <div style="margin-top: 10px;">Purpose of Expenditure: <input type="text"/></div> <div style="text-align: center; margin-top: 10px;"> <span style="border: 1px solid black; padding: 2px 5px;">Cancel</span> <span style="border: 1px solid black; padding: 2px 5px; margin-left: 10px;">Add Item</span> </div>					

<b>Summary</b>	Income Subtotal:	<b>\$0.00</b>
	Expenditure Subtotal:	<b>\$0.00</b>
	Subtotal this reporting period:	<b>\$0.00</b>

**Note: Includes donated goods and services.**

Save & Resume Later


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# Page 7 – Debts

## CAMPAIGN DEBTS

Debts include accrued expenditures, unpaid loans, etc.

Action	Date Incurred	Name, Address	Description or Purpose	Original Amount	Balance Remaining
	Date Incurred: <input type="text"/> 			Original Amount: \$ <input type="text"/>	Balance Remaining: \$ <input type="text"/>
	Name: <input type="text"/>				
	Address: <input type="text"/>				
	City: <input type="text"/>	State: Alaska <input type="text"/>	Zip Code: <input type="text"/>	Country: United States <input type="text"/>	
	Description or Purpose: <input type="text"/>				
<input type="button" value="Cancel"/> <input type="button" value="Add Item"/>					

# Page 8 – Financial Summary

## FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash on Hand	\$ <input type="text" value="20000"/>				
<b>[plus] ↓</b>			Total Income From Last Report (From Box A of Previous Report)		Entire Campaign Total Income (Box A)
Total Income	\$0.00	<b>[+] ⇒</b>	\$ <input type="text" value="3600"/>	<b>[=] ⇒</b>	<b>\$3,600.00</b>
<b>[minus] ↓</b>			Total Expenses From Last Report (From Box B of Previous Report)		Entire Campaign Total Expenses (Box B)
Total Expenses	\$0.00	<b>[+] ⇒</b>	\$ <input type="text" value="400"/>	<b>[=] ⇒</b>	<b>\$400.00</b>
<b>[equals] ↓</b>					
Closing Cash on Hand	\$20,000.00				
<b>[minus] ↓</b>					
Debts	\$0.00				
<b>[equals] ↓</b>					
Surplus or Deficit	\$20,000.00				

[Save & Resume Later](#)

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# Page 9 – Review

CAMPAIGN DISCLOSURE REPORT: 3/5/2011 - 2/1/2012

## REVIEW SUBMISSION

- **You MUST click NEXT and electronically sign this form to submit it to APOC. Otherwise you have NOT filed your disclosure and will be subject to civil penalties for a late filing.**
- Please carefully review your Campaign Disclosure below.  
If corrections are needed use the blue "Previous" and "Next" buttons below to navigate to the appropriate page(s) and make changes before submitting.

## CAMPAIGN DISCLOSURE FORM

Filer First Name: **Test**  
Filer Middle Name: **Test**  
Filer Last Name: **Test**  
Filer's Title: **Test**  
Report Type: **Year Start Report**

## CANDIDATE INFORMATION

Candidate Name: **Test Candidate**  
Candidate Address: **Test**  
City, State Zip: **Test, Alaska Test**

## REPORT INFORMATION

Report Year: **2012**  
Election: **2012 - Haines Borough**  
Report Type: **Year Start Report**  
Reporting Period: From **03/05/2011** Through **02/01/2012**

---

# Page 9 – Review (continued)

## FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	<b>\$20,000.00</b>				
[+] ↓		Previous Campaign Income: <small>(From Box A of previous report)</small>		Campaign Income Total: <small>(Box A)</small>	
Total Income Reported:	<b>\$0.00</b>	[+] ⇒	<b>\$3,600.00</b>	[=] ⇒	<b>\$3,600.00</b>
[-] ↓		Previous Campaign Expense: <small>(From Box B of previous report)</small>		Campaign Expense Total: <small>(Box B)</small>	
Total Expenditures Reported:	<b>\$0.00</b>	[+] ⇒	<b>\$400.00</b>	[=] ⇒	<b>\$400.00</b>
[=] ↓					
Closing Cash On Hand:	<b>\$20,000.00</b>				
[-] ↓					
Total Debts:	<b>\$0.00</b>				
[=] ↓					
Surplus/Deficit:	<b>\$20,000.00</b>				

## INCOME

Date Received	Payment Method	Contributor	Details	Amount
No Income / Nothing to Report				
<b>Income Total:</b>				<b>\$0.00</b>

## EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
No Expenditures / Nothing to Report				
<b>Expenditure Total:</b>				<b>\$0.00</b>

## DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
<b>Remaining Debt Total:</b>				<b>\$0.00</b>

[Save & Resume Later](#)

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[Next](#)

Please review the following information. If every item is correct, continue to submit the document. If not, please use the previous button to go back and correct any mistakes.

CERTIFICATION

By entering your MyAlaska password, you will submit this legal document to APOC, and in your capacity as a candidate or campaign treasurer, certify the following statement:

**I certify under penalty of perjury that the foregoing is true and the information in this disclosure statement is, to the best of my knowledge, true, correct and complete. A person who makes a false sworn certification which he or she does not believe to be true is guilty of perjury.**

MyAlaska Password:

Certify

*All officials and candidates who are required to file disclosure statements are solely responsible for filing complete, accurate and truthful statements by the deadlines.*

**THIS IS A PUBLIC DOCUMENT**

Disclosure forms, guidelines, laws and regulations are online: [doa.alaska.gov/apoc](http://doa.alaska.gov/apoc) or from APOC offices

**ALASKA PUBLIC OFFICES COMMISSION**

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Anchorage, AK 99508-4149  
907-276-4176 / Toll-free 800-478-4176  
Fax 907-276-7018

**JUNEAU OFFICE:**

240 Main St. – Rm 500  
Mail: P.O. Box 110222  
Juneau, AK 99811-0222  
907-465-4864 / Fax 907-465-4832

E-mail APOC: [doa.poc.apocforms\\_feedback@alaska.gov](mailto:doa.poc.apocforms_feedback@alaska.gov)

Save & resume later

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# Form Submission Notice

CAMPAIGN DISCLOSURE REPORT: 2/1/2012 - 2/1/2012

COMPLETE

Please print the form for your records. Click 'Print' to show a popup with the form just submitted.

[Print](#)

[My Filings](#)

*This Campaign Disclosure Form has been submitted successfully.*

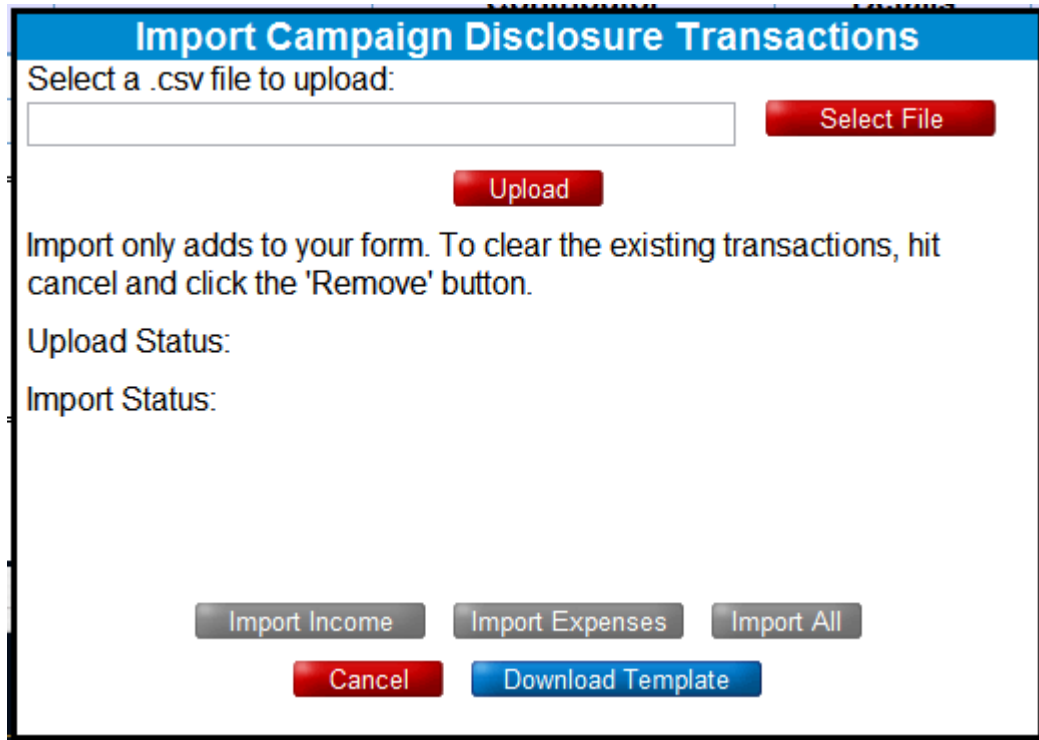
## Appendix – Other Features

- ⤴ Additional features are available in the heading bar of Steps 5 and 5, Campaign Income and Campaign Expenditures.
- ⤴ Click the buttons to open a dialog box that will ask for more information.



### Appendix A - Import

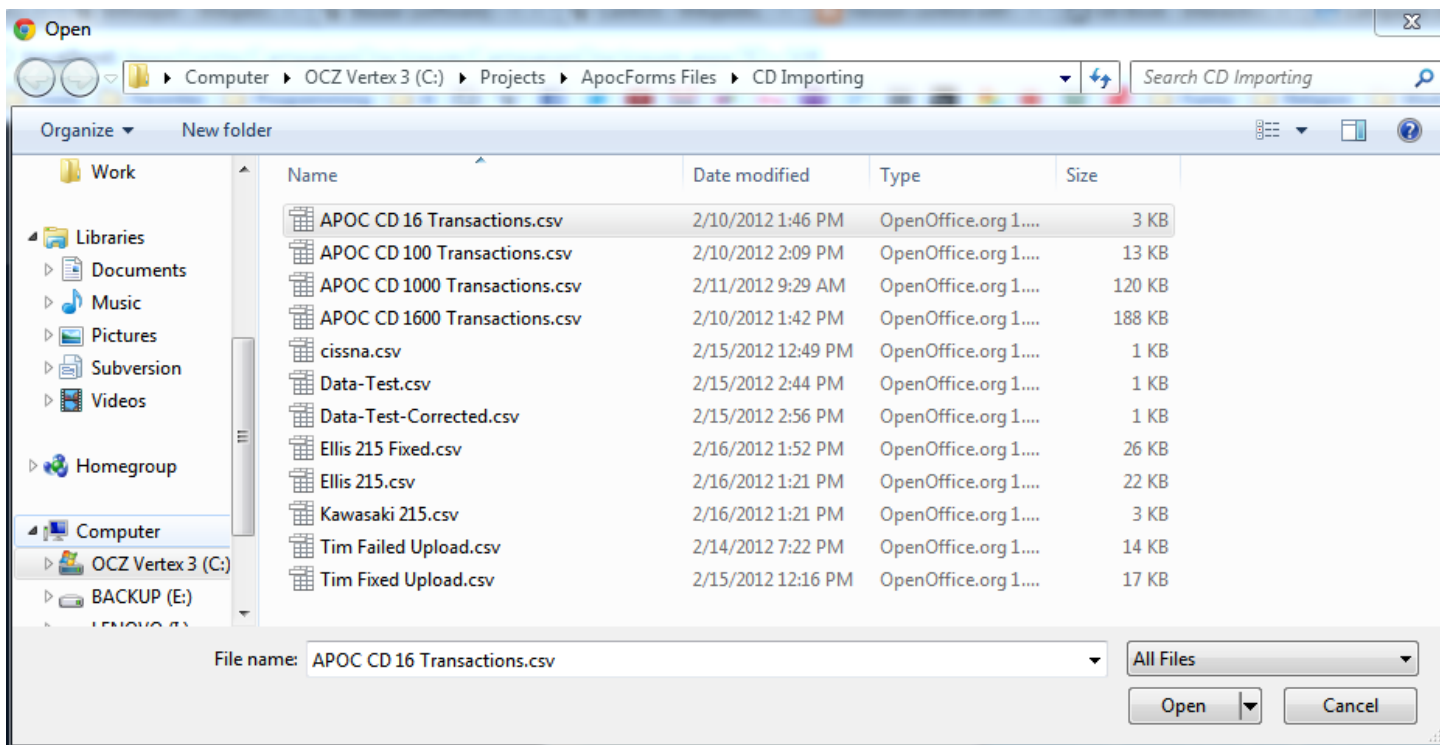
When the Import button is clicked, you will get this dialog box:

A dialog box with a blue title bar that says "Import Campaign Disclosure Transactions". Below the title bar, it says "Select a .csv file to upload:" followed by a text input field and a red "Select File" button. Below the input field is a red "Upload" button. Below that is a paragraph of text: "Import only adds to your form. To clear the existing transactions, hit cancel and click the 'Remove' button." Below the text are two labels: "Upload Status:" and "Import Status:". At the bottom of the dialog box are five buttons: "Import Income", "Import Expenses", "Import All", "Cancel", and "Download Template".

From here, you can:

- ⤴ Select a .csv (comma separated value) file with transactions to import into your form
- ⤴ Download the template to see how to structure a .csv file
- ⤴ Cancel

If you have a .csv file ready, Select File should open a dialog box similar to this one:



Select the .csv file that contains the transactions you wish to upload, and the next screen should look like this:

### Import Campaign Disclosure Transactions

Select a .csv file to upload:

Select File

Upload

Import only adds to your form. To clear the existing transactions, hit cancel and click the 'Remove' button.

Upload status: Success.

Import status: Success.

16 Transactions found in file. 16 fell within report date range. Of the transactions in range, 14 are Income and 2 are Expenditures. Press one of the Import buttons to add them to your form.

Import Income
Import Expenses
Import All

Cancel
Download Template

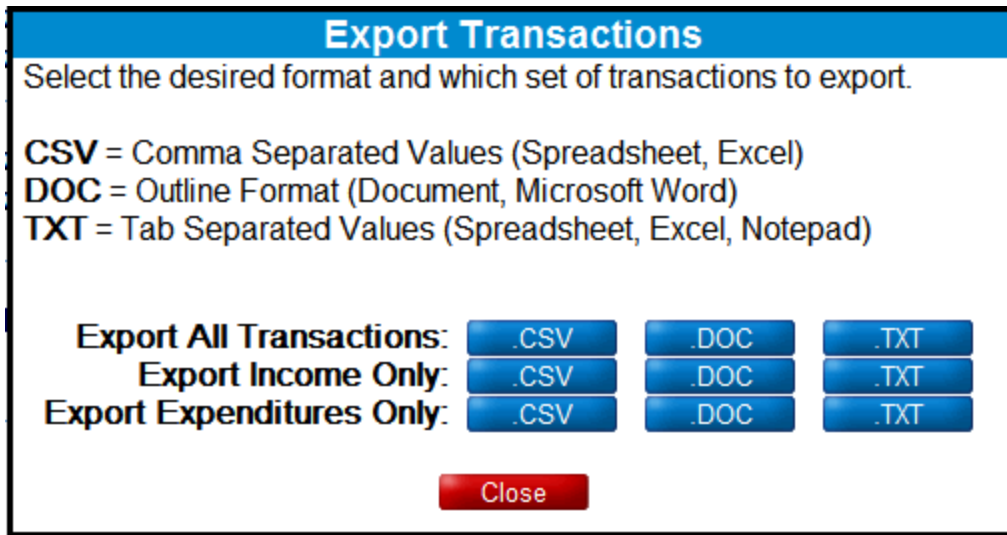
Be sure to read the message completely. If there are any errors, they will be listed here with the column and row number.

The system will only import transactions that are in the date range of the report. Select whether you want only the Income imported, only Expenses, or both, or hit cancel.

## Appendix B - Export

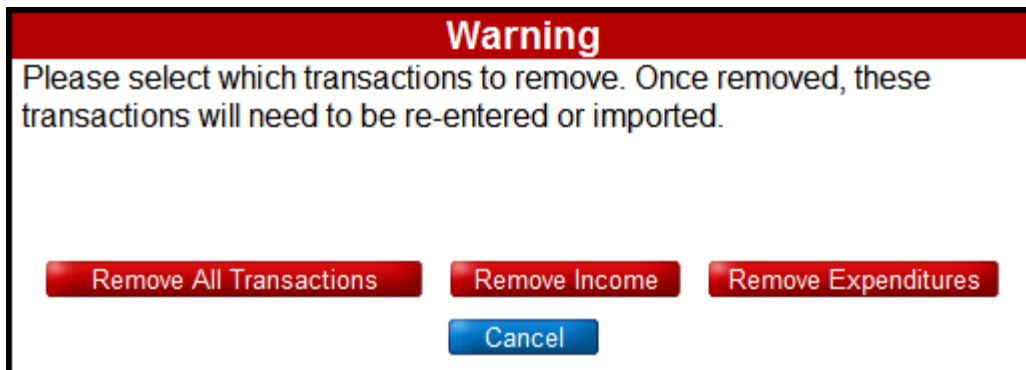
When Export is clicked, a dialog comes up that asks what you want exported, and what file format to export them in.

Note that only .csv files can be imported into the system.



## Appendix C - Remove

In the case a .csv file has changed, to remove the transactions and then import them again use the Remove button. The system will then ask if you'd like to remove all transactions, or only Income / Expenditures.



# Independent Expenditures Form 15-6 Template For Individual Filers

Note: This document is only a guide to prepare information for the online form and displays a sample of the questions asked in each section. To file your form, you visit <https://myalaska.state.ak.us/apoc/form>

## Page 1 - Instructions

### STATEMENT OF INDEPENDENT EXPENDITURES 15-6

#### INSTRUCTIONS

- All Persons, including business entities, making independent expenditures supporting or opposing any candidate, ballot proposition or question must report the expenditure to APOC.
- **NOTE:** All filings submitted to APOC are public records and are available to the public as submitted. DO NOT include any of the following personal information: social security numbers, account numbers, credit card numbers, copies of checks, financial records with account numbers or access codes, or any documents with personal identification numbers.

Cancel

Next

# Page 2 – Filer Information

THIS IS NOT A VALID FORM. To file, visit <https://myalaska.state.ak.us/apoc/form>

## FILER INFORMATION

- File independent expenditure reports no later than ten (10) days after an independent expenditure is made or incurred.
- An independent expenditure that exceeds \$250 and is made within nine (9) days of an election must be reported within twenty-four (24) hours after the expenditure is made.
- Verify that the listed name is the proper full legal name of the person filing this statement.

**Select what type of person is submitting this report:**

- Individual (Natural Persons)
- All Other Persons (including corporations, companies, partnerships, firms, associations, organizations, business trusts, societies, labor unions, and groups)

Cancel

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# Page 3 – Time Frame

THIS IS NOT A VALID FORM. To file, visit <https://myalaska.state.ak.us/apoc/form>

## TIME FRAME

Report Year:

2012 ▼

Select whether the expenditures were made:

- within the last Ten (10) Days
- within the last Twenty-four (24) Hours

Cancel

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Next

# Page 4 – Election Information

THIS IS NOT A VALID FORM. To file, visit <https://myalaska.state.ak.us/apoc/form>

- ⚠ If these expenditures were made for only a single election, elect it from the drop down list.
- ⚠ By selecting the election type, the elections are limited to just that type.
- ⚠ If they are for multiple elections, or do not apply to an election, select “Multiple Elections / Other” and then describe.

## ELECTION INFORMATION

Select the election type (optional):

Select the election the expenditure(s) intends to influence:

Please Describe:

Cancel

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Next

# Page 5 – Individual Information

THIS IS NOT A VALID FORM. To file, visit <https://myalaska.state.ak.us/apoc/form>

## INDIVIDUAL INFORMATION

First Name:  Middle Name:  Last Name:

E-mail:  Telephone:

Address:

City:  State:  Zip Code:  Country:

Principal Occupation:

Principal Employer:

# Page 6 – Expenditures

THIS IS NOT A VALID FORM. To file, visit <https://myalaska.state.ak.us/apoc/form>

- ⤴ The expenditure can be made to support or oppose a Candidate or a Proposition.
- ⤴ For candidates, select the Candidate from the drop down list. Use the Year/Election Type drop down lists.
- ⤴ For proposition, select the election and type in the name of the proposition.

## EXPENDITURES

Action	Date	Recipient	Details	Amount
Date Made or Incurred:	Payment Type:	Check Number:	Amount:	
<input type="text"/>	Check <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	
Name of Recipient or Vendor:				
<input type="text"/>				
Recipient/Vendor Address:				
<input type="text"/>				
City:	State:	Zip Code:	Country:	
<input type="text"/>	Alaska <input type="text"/>	<input type="text"/>	United States <input type="text"/>	
<b>Expenditure Type:</b> <input type="radio"/> Candidate <input type="radio"/> Proposition		<b>Position:</b> <input type="radio"/> Support <input type="radio"/> Oppose		
Year (Optional):	Election:			
Any <input type="text"/>	Any <input type="text"/>			
Description of Expenditure (e.g. direct mail, TV, radio, etc.):				
<input type="text"/>				
		<input type="button" value="Cancel"/>	<input type="button" value="Add Item"/>	

### Summary

Total Expenditures Reported with this Report:

**\$0.00**

# Page 7 – Review

THIS IS NOT A VALID FORM. To file, visit <https://myalaska.state.ak.us/apoc/form>

## STATEMENT OF INDEPENDENT EXPENDITURES 15-6

### REVIEW SUBMISSION

- **You MUST click NEXT and electronically sign this form to submit it to APOC. Otherwise you have NOT filed your disclosure and will be subject to civil penalties for a late filing.**
- Please carefully review your Independent Expenditures Form below.  
If corrections are needed use the blue "Previous" and "Next" buttons below to navigate to the appropriate page(s) and make changes before submitting.

### INDEPENDENT EXPENDITURES FORM 15-6

Filer First Name: **Debug**  
Filer Middle Name: **MyAlaska**  
Filer Last Name: **Bypass**

### REPORT INFORMATION

Report Year: **2012**  
Report Type: **Twenty-four Hour**

### INDIVIDUAL INFORMATION

First Name: **Test**  
Middle Name: **Test**  
Last Name: **Test**  
Address: **Test**  
City: **Test**  
State: **Alaska**  
Zip Code: **Test**  
Country: **United States**  
Occupation: **Test**  
Employer: **Test**

### ELECTION INFORMATION

Election: **Multiple Elections / Other**

### EXPENDITURES

Date	Recipient	Payment Type	Candidate / Proposition	Amount
03/14/2012	<b>Recipient</b> Address St. City, Alaska 99508	<b>Check</b> Check Number: 55	<b>SUPPORT: 2012 - Test Candidate</b> Election: Haines Borough Radio Advertisement in support of Test Candidate	\$500.00

### REPORT SUMMARY

Number of Expenditures Reported with this Report: **1**  
Total of Expenditures Reported with this Report: **\$500.00**

[Save & Resume Later](#)

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# Page 8 – Certification

THIS IS NOT A VALID FORM. To file, visit <https://myalaska.state.ak.us/apoc/form>

## CERTIFICATION

By entering your MyAlaska password, you will submit this legal document to APOC, and in your capacity certify the following statement:

**I certify under penalty of perjury that the foregoing is true and the information in this disclosure statement is, to the best of my knowledge, true, correct and complete. A person who makes a false sworn certification which he or she does not believe to be true is guilty of perjury.**

MyAlaska Password:

**Certify**

*All officials and candidates who are required to file disclosure statements are solely responsible for filing complete, accurate and truthful statements by the deadlines.*

## THIS IS A PUBLIC DOCUMENT

Disclosure forms, guidelines, laws and regulations are online: [doa.alaska.gov/apoc](http://doa.alaska.gov/apoc) or from APOC offices

### ALASKA PUBLIC OFFICES COMMISSION

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907-276-4176 / Toll-free 800-478-4176  
Fax 907-276-7018

#### JUNEAU OFFICE:

240 Main St. – Rm 500  
Mail: P.O. Box 110222  
Juneau, AK 99811-0222  
907-465-4864 / Fax 907-465-4832

E-mail APOC: [doa\\_poc\\_apocforms\\_feedback@alaska.gov](mailto:doa_poc_apocforms_feedback@alaska.gov)

**Save & Resume Later**

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# Form Submission Notice

THIS IS NOT A VALID FORM. To file, visit <https://myalaska.state.ak.us/apoc/form>

## STATEMENT OF INDEPENDENT EXPENDITURES 15-6

COMPLETE

Please print the form for your records. Click 'Print' to show a popup with the form just submitted.

Print

My Filings

*This Independent Expenditures Form has been submitted successfully.*



# POFD Template

## Page 1 - Instructions

### INSTRUCTIONS

**The program has an automatic "timeout" feature of 20 minutes. See below.**

#### **PUBLIC OFFICIALS MUST FILE:**

- Initial Statements: Due within **30 days** after taking office as a public official.
- Annual Statements: Due annually on **March 15th**; cover activity from the prior calendar year.
- Final Statements: Due within **90 days** after leaving office; cover any period during the official's service for which the public official has not already filed a statement.

#### **CANDIDATES MUST FILE:**

- State Candidates: File with Division of Elections, when filing for candidacy.
- Municipal Candidates: File with Municipal Clerk when filing for candidacy; check Municipal Clerk for deadlines.

Please **contact APOC staff** with any questions about this form:

- Email: [doa.poc.apocforms\\_feedback@alaska.gov](mailto:doa.poc.apocforms_feedback@alaska.gov)
- Phone: (800) 478-4176 Statewide Toll Free  
(907) 276-4176 Anchorage  
(907) 465-4864 Juneau
- In Person: 2221 E. Northern Lights Blvd., Rm. 128, Anchorage, AK 99508  
240 Main St., Rm. 500, Juneau, AK 99811

#### **Before beginning this form:**

1. To certify this form you must create or use an existing MyAlaska account. Please either have your current username and password ready, or create a MyAlaska account before beginning to fill this out. You may create a MyAlaska account by accessing <http://myalaska.state.ak.us>.
2. Please collect any necessary financial documentation that will assist you with filling out this form. For example, you will need information regarding income, property, and other assets.
3. Please be aware that it may take a significant amount of time to complete this form and plan accordingly. Once you begin, you may save the data you have already entered by clicking the "Save & resume later" button at the bottom of the screen.
4. **The program has an automatic "timeout" feature of 20 minutes.** If you have your filing open but are not entering data, the best approach is to click the "save and resume" button and return to the form when you have time. If you do get timed out, you will be brought back to the MyAlaska sign in page. Enter your user name and password to access your already saved filing.
5. Please remember that once submitted this form becomes a public document. Do not include confidential information such as social security numbers and bank account numbers.

**THIS REPORT IS A SWORN STATEMENT. YOUR SIGNATURE ON THE LAST PAGE CERTIFIES THAT THIS DISCLOSURE IS TRUE, CORRECT and COMPLETE.**

**If you have already started an online filing and saved it to "resume later," DO NOT start a new form. To access your saved filing, scroll to the top of this page and click on the tab labeled POFD/LFD. You may edit/complete your filing by clicking "resume" in the far right column.**

Cancel

Start

# Page 2 – Purpose of Filing

## PURPOSE OF FILING

**Report Dates:** From **1/1/2011** through **12/31/2011**

**Year of Report:** 2012

**Why are you filing?**  Office Holder  State Candidate  Municipal Candidate  Judicial Retention Candidate

**Branch:**

- Board/Commission Member
- Executive
- Judicial
- Legislative
- Local Municipal Government

**Executive Position:** Assistant to the Governor

**Department:** Alaska Court System

**Report Type:**

- CANDIDATE STATEMENT: Due when filing declaration of candidacy.
- INITIAL STATEMENT: Due 30 days from appointment for new public officials (and annually thereafter.)
- ANNUAL STATEMENT: Due by March 15th - for incumbent officials.
- FINAL STATEMENT: Due 90 days after leaving office.

Cancel

Previous

Next

# Page 3 – Contact Information (for non-Legislative filers)

## CONTACT INFORMATION

First Name:  Last Name:

Address:

City:  State:  Zip Code:  Country:

Contact Phone:  Alternate Phone:  Fax:

E-Mail:

Spouse  Domestic Partner  None / Not Applicable (Domestic Partner not required for Municipal Filers)

- Include stepchildren and adoptive children.

Dependent Children:

Non-Dependent Children living with you:

# Page 3 – Contact Information (for Legislative filers)

## CONTACT INFORMATION

First Name:  Last Name:

Address:

City:  State:  Zip Code:  Country:

Contact Phone:  Alternate Phone:  Fax:

E-Mail:

Spouse  Domestic Partner  None / Not Applicable (Domestic Partner not required for Municipal Filers)

- Include stepchildren and adoptive children.

Dependent Children:  Non-Dependent Children living with you:

Name Non-Dependent Children Living with you

# Page 4 – Salaried Employment Income

## FINANCIAL DISCLOSURE STATEMENT

### SCHEDULE A: SOURCES OF INCOME OVER \$1,000

#### SALARIED EMPLOYMENT

NONE / Not Applicable →

- Income means anything of value and covers all forms of compensation or benefits received from an employer; compensation or benefits include wages, salary, commissions, tips, bonuses, housing, use of an automobile and deferred compensation.
- Report each employer who paid you, your spouse, domestic partner or children covered by reporting requirements more than \$1,000. Include amount of income, dates of employment, terms of employment, amount of time worked. Describe the work performed in sufficient detail to make it clear to a person of ordinary understanding.
- The amount of any income more than \$1,000 that must be reported, or the value of a gift more than \$250 that must be reported, may be stated in a range rather than as an exact amount. 2 AAC 50.685

Edit/Delete	Earned By	Employer	Time	Description	Total Income
Earned By: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child		Total Income:		<input type="text"/>	
<input type="radio"/> Commission <input type="radio"/> Full-time <input type="radio"/> Hourly <input type="radio"/> Part-time <input type="radio"/> Project <input type="radio"/> Seasonal					
Dates: 1/1/2011 <input type="text"/> to 12/31/2011 <input type="text"/>		Time Worked (months/days/hours): <input type="text"/>			
Employer: <input type="text"/>					
Address: <input type="text"/>					
City: <input type="text"/>		State: Alaska <input type="text"/>		Zip Code: <input type="text"/>	
				Country: United States <input type="text"/>	
Description: <input type="text"/>					
You must finish adding or cancel this action before navigating away from this step.					
<input type="button" value="Cancel"/>			<input type="button" value="Add Item"/>		

# Page 5 – Self Employment Income

## SCHEDULE A: SOURCES OF INCOME OVER \$1,000

### SELF-EMPLOYMENT

NONE / Not Applicable →

- List each **source** of self-employment income over \$1000 by name and amount. Income means anything of value and covers all forms of compensation, including deferred income and attorney contingency fees. For clarification, see AS 39.50.200(10), "source of income"; 2 AAC 50.799(a), definition of self-employment; 2 AAC 50.695, reporting deferred income; and 2 AAC 50.704 – reporting income from attorney contingency fee agreements.
- Disclose each client, customer or business that paid you, your spouse/domestic partner or child more than \$1,000. Self-employment includes sole proprietors, partnerships, limited liability companies, professional corporations. See 2 AAC 50.700(a)
- Disclose income from corporations in which the filer, alone or in combination with one or more family members, holds a controlling interest as defined under 2 AAC 50.700(b)
- Exemptions: To obtain an exemption, you must qualify under the law, you must file a written request, and you must receive an exemption from the commission. Exemption rules: AS 39.50.035, 2 AAC 50.775, 2 AAC 50.821
- For detailed information on source of income see AS 39.50.200(10) "source of income".

Edit/Delete	Earned By	Business	Time	Description	Total Income
Earned By: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child  <input type="radio"/> Commission <input type="radio"/> Full-time <input type="radio"/> Hourly <input type="radio"/> Part-time <input type="radio"/> Project <input type="radio"/> Seasonal			Total Income: <input type="text"/>		
Dates: <input type="text" value="1/1/2011"/> to <input type="text" value="12/31/2011"/>		Time Worked (months/days/hours): <input type="text"/>			
Business Name: <input type="text"/>					
For each client who paid more than \$1,000 for the same service enter their name and full address below and click the green add button. Entries can be removed with the red subtract button.					
	Client Name	Client Full Address	Amount		
	<input type="text"/>	<input type="text"/>	<input type="text" value="\$250 - \$1,000 (gifts only)"/>		
Description: <input type="text"/>					
You must finish adding or cancel this action before navigating away from this step.					
<input type="button" value="Cancel"/>			<input type="button" value="Add Item"/>		

# Page 6 – Rental Income

## FINANCIAL DISCLOSURE STATEMENT

### SCHEDULE A: SOURCES OF INCOME OVER \$1,000

#### RENTAL INCOME

NONE / Not Applicable →

- If any person paid more than \$1000 in rent during the preceding calendar year, report the name of the person and the amount of the rent paid, and, if the property is managed by a person other than the filer or a family member of the filer, additionally report the manager's name. 2 AAC 50.725 Disclose the location of the property under "Real Property Interests".

Edit/Delete	Owner	Tenant	Amount
	Owner: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child <input type="checkbox"/> Co-owner with others		Amount: <input type="text"/>
	Tenant Name: <input type="text"/>		
	Manager's Name (if applicable): <input type="text"/>		
You must finish adding or cancel this action before navigating away from this step.			
<input type="button" value="Cancel"/>		<input type="button" value="Add Item"/>	

# Page 7 – Dividends, Interest, and other Business/Investment distributions of earnings

^ Don't forget to enter any PFDs received

## FINANCIAL DISCLOSURE STATEMENT

### SCHEDULE A: SOURCES OF INCOME OVER \$1,000

#### DIVIDENDS, INTEREST AND OTHER BUSINESS/INVESTMENT DISTRIBUTIONS OF EARNINGS

NONE / Not Applicable →

- **The 2011 PFD Amount is \$1,174.00. Please remember to add your PFDs to this section if applicable.**
- Disclose source and amount of income **over \$1000** received from dividends, interest and other distributions of earnings from a business or investment
- Include dividends or interest **received** from bank accounts, capital gains, money market accounts, certificates of deposit, Native corporation dividends, Permanent Fund dividends
- Note: This section refers only to amounts received during the reporting period; there is a separate section for disclosing business interest information.

Edit/Delete	Recipient	Source	Amount
	Recipient: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child	Amount: <input type="text"/>	<input type="text"/>
Source: <input type="text"/>			
You must finish adding or cancel this action before navigating away from this step.			
<input type="button" value="Cancel"/>		<input type="button" value="Add Item"/>	

# Page 8 – Other Income

## SCHEDULE A: SOURCES OF INCOME OVER \$1,000

### OTHER INCOME

NONE / Not Applicable →

- List source and amount of income over \$1,000 not listed elsewhere in this form, including sale of goods or property, taxable capital gains, pensions, retirement account cash-outs, government entitlements, alimony or child support payments, honoraria and any other payments not otherwise accounted for.

Edit/Delete	Recipient	Source	Amount
	Recipient: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child	Source: <input type="text"/>	Amount: <input type="text"/>

You must finish adding or cancel this action before navigating away from this step.

SCHEDULE A: SOURCES OF INCOME OVER \$1,000

GIFTS WORTH MORE THAN \$250

NONE / Not Applicable →

- Public Official Filers ONLY - Legislative filers are **NOT** required to fill in this section.
- Legislators must submit more detailed disclosure reports to the Legislative Ethics Committee.
- Report all gifts worth more than \$250 (including gifts from a single source with a cumulative value of more than \$250). Include travel expenses, discounts not available to the public, loans forgiven or loans paid by a third party. Do not report gifts from spouse, domestic partner, parent, dependent child, sibling, grandparent, aunt, uncle, niece or nephew.

Edit/Delete	Recipient	Source	Description	Value
	Recipient: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child			Value: <input type="text"/>
	Source: <input type="text"/>			
	Description: <input type="text"/>			
You must finish adding or cancel this action before navigating away from this step.				
<input type="button" value="Cancel"/>		<input type="button" value="Add Item"/>		

## SCHEDULE B: BUSINESS INTERESTS

### BUSINESS INTERESTS

**NONE / Not Applicable** →

- **Report business interests even if they were NOT a source of income, including businesses in which the filer or family member** (spouse, domestic partner, dependent children and **for legislative branch filers ONLY** – nondependent children living with the filer):
  1. Served as stockholder, owner, officer, director, partner, proprietor, employee or held an interest.
  2. Had ownership interests of more than \$1,000 in a publicly traded corporation.
  3. Had any other ownership interest in a business, including shares in non-publicly traded corporations, sole proprietorships, limited liability companies. Include options to buy.
  4. Include non-profit organizations, corporations, businesses, associations, trade groups.
- **If the business was a source of income over \$1,000, it must also be reported in Schedule A.**

Edit/Delete	Interested Party	Business	Description	Position / Interest Type
	Owner: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child		Position / Type of Interest: <input style="width: 100%;" type="text"/>	
	Business Name: <input style="width: 100%;" type="text"/>			
	Business Address: <input style="width: 100%;" type="text"/>			
	City: <input style="width: 200px;" type="text"/>	State: Alaska <input style="width: 50px;" type="text"/>	Zip Code: <input style="width: 100px;" type="text"/>	Country: United States <input style="width: 50px;" type="text"/>
	Detailed Description of business activity: <div style="border: 1px solid #ccc; height: 40px; width: 100%;"></div>			
You must finish adding or cancel this action before navigating away from this step.				
<input style="background-color: #c00; color: white; padding: 5px 15px;" type="button" value="Cancel"/>			<input style="background-color: #0070c0; color: white; padding: 5px 15px;" type="button" value="Add Item"/>	

# Page 11 – Real Property Interests

## SCHEDULE C: REAL PROPERTY INTERESTS

**REAL PROPERTY INTERESTS**

**NONE / Not Applicable** →

- Report an interest in real property by the address or other legal description of the property, except that a primary residence or recreational property held for personal use may be described only by zip code. Enter 'Not Reported' for Address and City if this applies to you.
- Report the nature of the interest that the filer or family member held in the property; the nature of interests to be reported includes fee simple ownership, tenancy in common, general or limited partnership interest, and holder of an option to purchase. If property is jointly owned, check all boxes that apply.

Edit/Delete	Owner(s)	Address or Legal Description	Ownership Interest
	Owner: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child <input type="checkbox"/> Other	Other Co-owner(s): <input type="text"/>	
	Street Address or legal description: <input type="text"/>		
	City: <input type="text"/>	State: Alaska <input type="text"/>	Zip Code: <input type="text"/>
			Country: United States <input type="text"/>
	Ownership Interest: <input type="text"/>		
You must finish adding or cancel this action before navigating away from this step.			
<input type="button" value="Cancel"/>		<input type="button" value="Add Item"/>	

# Page 12 – Beneficial Interests

## SCHEDULE D: BENEFICIAL INTERESTS

### TRUSTS, RETIREMENT ACCOUNTS OR OTHER BENEFICIAL INTERESTS

NONE / Not Applicable →

- Report each trust, retirement account or other beneficial interest that exceeded \$1,000 during the reporting period, including a state or federally administered retirement system plan, employee pension plans, profit-sharing trusts, family trust, education trusts, deferred compensation plans, annuity plans or any other similar arrangement intended to provide future income the filer or family member.
- Identify individual investments accounts if you or family members manage or personally control the investments.

Edit/Delete	Owner(s)	Managed By	Fund or Companies	Interest Holder	Percent
Owner: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child				Percent Owned: <input type="text"/> %	
Name of Interest Holder: <input type="text"/>					
Managed By: <input type="text"/>					
Identify Fund or Companies: <input type="text"/>					
You must finish adding or cancel this action before navigating away from this step.					
<input type="button" value="Cancel"/>				<input type="button" value="Add Item"/>	

# Page 13 – Loans and Debts (for non-Legislative filers)

## SCHEDULE E: LOANS AND DEBTS

**LOANS, LOAN GUARANTEES & DEBTS OVER \$1,000**

**NONE / Not Applicable** →

- Report each creditor or lender to whom more than \$1,000 was owed during the reporting period.
- Report guarantor of each loan.
- List financial obligations, including mortgages on property owned or sold during the reporting period; loans that have been guaranteed; delinquent taxes; alimony; child support payments; medical bills; boat and vehicle loans; business and personal loans; escrows; student loans; signature loans and promissory notes.
- Loans include secured, unsecured and contingent loans.
- Do NOT list credit card obligations or revolving charge accounts.

Edit/Delete	Owner	Debt Type	Name
Debtor: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child		Debt Type: <input type="radio"/> Creditor <input type="radio"/> Guarantor <input type="radio"/> Lender	
Name: <input type="text"/>			
You must finish adding or cancel this action before navigating away from this step.			
<input type="button" value="Cancel"/>		<input type="button" value="Add Item"/>	

# Page 13 – Loans and Debts (for Legislative filers)

## LOANS, LOAN GUARANTEES & DEBTS OVER \$1,000

NONE / Not Applicable →

- Report each creditor or lender to whom more than \$1,000 was owed during the reporting period.
- Report guarantor of each loan.
- List financial obligations, including mortgages on property owned or sold during the reporting period; loans that have been guaranteed; delinquent taxes; alimony; child support payments; medical bills; boat and vehicle loans; business and personal loans; escrows; student loans; signature loans and promissory notes.
- Loans include secured, unsecured and contingent loans.
- Do NOT list credit card obligations or revolving charge accounts.

Edit/Delete	Owner	Debt Type	Name
-------------	-------	-----------	------

Debtor:

Filer  Spouse  Domestic Partner  Child

Debt Type:

Creditor  Guarantor  Lender

Name:

Legislative branch filers must report additional details: original amount of the obligation, the current balance owed, interest rate, length of the loan and whether a written agreement exists for a creditor or lender who:

- Lobbies or hired lobbyists
- Had contracts or sought contracts worth more than \$10,000 with any state agency
- Was a municipal or local government entity
- Was affected financially – in an amount exceeding \$1,000 – by an act of the legislature or state agency decision, including actions affecting professional or occupational licenses; natural resource permits or quotas; assessments; tax rates; health, safety or environmental standards; insurance or business practices.

Address:

City:

State:

Zip Code:

Country:

Original Loan: (ex. 25,421.34)

\$

Balance Owed: (ex. 25,421.34)

\$

Interest Rate:

%

Number of Years in Term:

Number of Months in Term:

- or -

Written Loan Agreement:

Yes  No

You must finish adding or cancel this action before navigating away from this step.

## SCHEDULE F: LEASES

### GOVERNMENT CONTRACTS AND OFFERS TO CONTRACT

NONE / Not Applicable →

- List all contracts, bids and offers to contract with the state or any state or municipal agency or entity.
- Report contract interests as individual, sole proprietor, family member, partnership, professional corporation, limited liability company or through a corporation in which filer or family members held a controlling interest.

Edit/Delete	Contract Holder(s)	Contract ID	Contract Agency	Status	Type of Interest	Contract Description
	Owner(s): <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child				Type of Interest <input type="text"/>	
	Status: <input type="radio"/> Bid <input type="radio"/> Held <input type="radio"/> Offer				Contract ID (name/number): <input type="text"/>	
	Contracting Agency: <input type="text"/>					
	Contract Description: <input type="text"/>					
<p>You must finish adding or cancel this action before navigating away from this step.</p> <p><input type="button" value="Cancel"/> <input type="button" value="Add Item"/></p>						

# Page 15 – Natural Resource Leases

## SCHEDULE F: LEASES

### NATURAL RESOURCE LEASES

NONE / Not Applicable ⇒

- List natural resource leases – including mineral, timber, oil and gas leases – held, bid or offered during the reporting period.
- Report lease interests as individual, sole proprietor, family member, partnership, professional corporation, limited liability company; or corporation in which you or family (individually or together) held controlling interest.

Edit/Delete	Leaseholder(s)	Lease ID	Status	Type of Interest	Lease Description
	Owner(s): <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child		Status: <input type="radio"/> Bid <input type="radio"/> Held <input type="radio"/> Offer	Type of Interest <input type="text"/>	Lease ID (name/number): <input type="text"/>
	Lease Description: <input type="text"/>				
You must finish adding or cancel this action before navigating away from this step.					
<input type="button" value="Cancel"/>			<input type="button" value="Add Item"/>		

SCHEDULE G

CLOSE ECONOMIC ASSOCIATIONS

NONE / Not Applicable →

- **EXEMPT:**
  1. Municipal and local officials are exempt from reporting close economic associations.
  2. Members of state boards and commissions are exempt from reporting close economic associations.
  3. Local officials and state board/commission members do NOT have to complete this section. Check the box for NONE.
- **STATE PUBLIC OFFICIALS:** Disclose financial relations with legislators, other public officials and lobbyists.
- **LEGISLATIVE BRANCH:** Disclose financial relations with public officials, lobbyists, other legislators, and legislative employees. Report close economic association detailed information to the Legislative Ethics Committee.
- **CLOSE ECONOMIC ASSOCIATION** means a financial relationship between public officials, legislators and lobbyists, including shared interests in a business, property, association, partnership, corporation or LLC.
- **CHANGES:** Report new close economic associations within 60 days.

Edit/Delete	Owner	Name	Description
Person Disclosing Economic Association: <input type="checkbox"/> Filer <input type="checkbox"/> Spouse <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Child			
Person with whom Association Exists: <input type="text"/>			
Description of Economic Association: <input type="text"/>			
You must finish adding or cancel this action before navigating away from this step.			
<input type="button" value="Cancel"/>		<input type="button" value="Add Item"/>	

# Page 17 – Lobbyist Partner Employers

## SCHEDULE G

**FILERS WITH A LOBBYIST SPOUSE or PARTNER**

**NONE / Not Applicable** →

- **EXEMPT:** Local officials and members of state boards and commissions are exempt. Check NONE.
- **STATE PUBLIC OFFICIALS with a lobbyist spouse or domestic partner:** Report names and addresses of each employer of the lobbyist and the total monetary value received from each of the lobbyist's employers.
- **LEGISLATIVE BRANCH filers with a lobbyist spouse or domestic partner:** Disclose employer of lobbyist and compensation, and report details to the Legislative Ethics Committee.
- **CHANGES:** Report changes in lobbyist's employer within 48 hours of the change.

Edit/Delete	Name	Address	Compensation
	Employer Name: <input type="text"/>		Compensation: <small>(ex. 25,421.34)</small> \$ <input type="text"/>
	Address: <input type="text"/>		
	City: <input type="text"/>	State: Alaska <input type="text"/>	Zip Code: <input type="text"/>
			Country: United States <input type="text"/>
You must finish adding or cancel this action before navigating away from this step.			
<input type="button" value="Cancel"/>		<input type="button" value="Add Item"/>	

# Page 18 – Review

## REVIEW SUBMISSION

- **You MUST click NEXT and electronically sign this form to submit it to APOC. Otherwise you have NOT filed your disclosure and will be subject to civil penalties for a late filing.**
- Please carefully review your Financial Disclosure below.  
If corrections are needed use the blue "Previous" and "Next" buttons below to navigate to the appropriate page(s) and make changes before submitting.

## POFD FORM

### FILER INFORMATION

First Name: **First Name**  
Last Name: **Last Name**  
Address: **Address**  
City, State Zip: **City, Alaska 99999**  
Contact Phone: **(907) 555-5555**  
Alternate Phone: **(907) 555-5555**  
Fax (Optional): **(907) 555-5555**  
Email: **email@email.com**  
Partner Type: **Spouse**  
Spouse/Domestic Partner Name: **Spouse/Domestic Partnet**  
Dependent Children: **0**  
Non-Dependent Children: **0**

### PURPOSE OF FILING

Report Dates: From **01/01/2011** Through **12/31/2011**  
Filing As: **Office Holder**  
Report Type: **Annual**

### INCOME

## Page 18 – Review (continued)

Owner	Type	Detail	Description	Amount
Filer	Salaried	Employer _____ Address City, Alaska Zip _____ Full-time From: 01/01/2011 Through 12/31/2011 Time Worked: 12 months	Description	\$50,000 - \$100,000
Domestic Partner, Child	Rental	Tenant: Tenant Name	Manager's Name	\$5,000 - \$10,000
Filer	Dividend or Interest	Permanent Fund Dividend		\$1,000 - \$2,000
Domestic Partner	Other	Source: Source of Other Income		\$5,000 - \$10,000
Child	Gift	Source: Source of Gift	Description of Gift	\$250 - \$1,000 (gifts only)
Spouse	Self Employment	Business Name _____ Project From: 01/01/2011 Through 12/31/2011 Time Worked: 30 days	Description	\$20,000 - \$50,000
		<b>Client Names</b>	<b>Client Addresses</b>	<b>Client Amount</b>
		Client 1	Address, City, State Zip	\$1,000 - \$2,000
		Client 2	123 Street St., Anchorage AK 99508	\$2,000 - \$5,000

### INTERESTS

Owner	Type	Detail	Description	Interest
Spouse, Domestic Partner	Business	Business Name: Business Name _____ Business Address City, Alaska Zip	Description	Position / Type: Type of Interest
Spouse, Other: Other Person	Real Property	Address City, Alaska Zip	Ownership Interest: Ownership Interest	
Spouse	Beneficial	Managed By: Manager	Fund or Companies	Ownership: 50%

### LOANS AND DEBTS

## Page 18 – Review (continued)

Owner	Type	Name
Domestic Partner	Creditor	Creditor Name

### LEASES

Owner	Type of Lease	Lease/Contract ID	Interest	Status	Description
Filer	Government	Contract ID	Type of Interest	Held	Description
Spouse	Natural Resource	Lease ID	Type of Interest	Bid	Lease Description

### CLOSE ECONOMIC ASSOCIATIONS

Person Disclosing Association	Associated Person	Description
Filer	Associated Person's Name	Description

### LOBBYIST PARTNER EMPLOYERS

Name	Address	Compensation
Employer	Address City, Alaska Zip	\$44,332.24

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## CERTIFICATION

By entering your MyAlaska password, you will submit this legal document to APOC, and certify the following statement:

**I certify under penalty of perjury that the foregoing is true and the information in this disclosure statement is, to the best of my knowledge, true, correct and complete. A person who makes a false sworn certification which he or she does not believe to be true is guilty of perjury.**

MyAlaska Password:

**Certify**

*All officials and candidates who are required to file disclosure statements are solely responsible for filing complete, accurate and truthful statements by the deadlines.*

## THIS IS A PUBLIC DOCUMENT

**NOTE:** Public officials who are required to file this disclosure statement may have additional obligations to disclose conflicts of interest or potential conflicts under state executive, legislative or judicial ethics rules or personnel rules. Legislators who are required to file this disclosure statement have additional disclosure and reporting requirements imposed by the Select Committee on Legislative Ethics. Local officials may also be governed by local ethics ordinances or personnel rules.

Disclosure information, laws and regulations are available online: [doa.alaska.gov/apoc](http://doa.alaska.gov/apoc)

### ALASKA PUBLIC OFFICES COMMISSION

#### **ANCHORAGE OFFICE:**

2221 E. Northern Lights Blvd – Rm 128  
Anchorage, AK 99508-4149  
907-276-4176 / Toll-free 800-478-4176  
Fax 907-276-7018

#### **JUNEAU OFFICE:**

240 Main St. – Rm 500  
Mail: P.O. Box 110222  
Juneau, AK 99811-0222  
907-465-4864 / Fax 907-465-4832

E-mail APOC: [doa.poc.apocforms\\_feedback@alaska.gov](mailto:doa.poc.apocforms_feedback@alaska.gov)

**Save & resume later**

**Previous**

# Form Submission Notice

FINANCIAL DISCLOSURE STATEMENT

COMPLETE

Please print the form for your records. Click 'Print' to show a popup with the form just submitted.

[Print](#)

[My Filings](#)

*This POFD Form has been submitted successfully.*